City of Phoenix

Agenda
City Council Formal Meeting

Meeting Location:
City Council Chambers
200 W. Jefferson St.
Phoenix, Arizona 85003

Wednesday, February 2, 2022 **2:30 PM** **phoenix.gov**

*****REVISED Feb. 1, 2022*****
Item Requested to be Continued: 71

OPTIONS TO ACCESS THIS MEETING

Request to speak at a meeting:

- Register online by visiting the City Council Meetings page on phoenix.gov **at least 1 hour prior to the start of this meeting**. Then, click on this link at the time of the meeting and join the Webex to speak: https://phoenixcitycouncil.webex.com/phoenixcitycouncil/onstage/g.php?MTID=e057177f12ae8f128ed83738381dc5f57

- Register via telephone at 602-262-6001 **at least 1 hour prior to the start of this meeting**, noting the item number. Then, use the Call-in phone number and Meeting ID listed below at the time of the meeting to call-in and speak.

At the time of the meeting:

- Watch the meeting live streamed on phoenix.gov or Phoenix Channel 11 on Cox Cable, or using the Webex link provided above.

- Call-in to listen to the meeting. Dial 602-666-0783 and Enter Meeting ID 2557 152 9695# (for English) or 2555 064 3697# (for Spanish). Press # again when prompted for attendee ID.

Para nuestros residentes de habla hispana:

- Para registrarse para hablar en español, llame al 602-262-6001 **al menos 1 hora antes del inicio de esta reunión** e indique el número del tema. El día de la reunión, llame al 602-666-0783 e ingrese el número de identificación de la reunión 2555 064 3697#. El intérprete le indicará cuando sea su turno de hablar.

- Para solamente escuchar la reunión en español, llame a este mismo número el día de la reunión (602-666-0783; ingrese el número de identificación de la reunión 2555 064 3697#). Se proporciona interpretación simultánea para nuestros residentes durante todas las reuniones.

CALL TO ORDER AND ROLL CALL

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REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

000 CITIZEN COMMENTS

ADJOURN

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 1

Liquor License - Bashas' #113

Request for a liquor license. Arizona State License Application 09070037.

Summary

Applicant
Michael Basha, Agent

License Type
Series 9 - Liquor Store

Location
731 E. Union Hills Drive
Zoning Classification: C-2
Council District: 2

This request is for an ownership transfer of a liquor license for a grocery store. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 9, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"Raley's Arizona, LLC is a community supermarket that operates over 126 supermarkets in two states. These supermarkets typically include the sale of packaged alcoholic beverages. Its employees and managers are trained to comply with all state and municipal liquor laws. Further, Raley's Arizona, LLC is purchasing the existing operations of Bashas' Inc., including its assets and employees, all of whom are experienced with the lawful sale of alcohol within the State of Arizona and the City of Phoenix."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This supermarket provides a one-stop source for the community's grocery needs. This is merely a change in ownership of the existing supermarket that currently exists at this locations. Issuance of a liquor license will allow members of the community to safely and responsibly purchase packaged alcoholic beverages from their neighborhood supermarket."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Bashas' #113
Liquor License Map - Bashas' #113

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: BASHAS' #113

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	1	1
Liquor Store	9	4	2
Beer and Wine Store	10	6	1
Restaurant	12	11	2

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	74.89	60.72
Violent Crimes	9.21	12.10	8.49

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

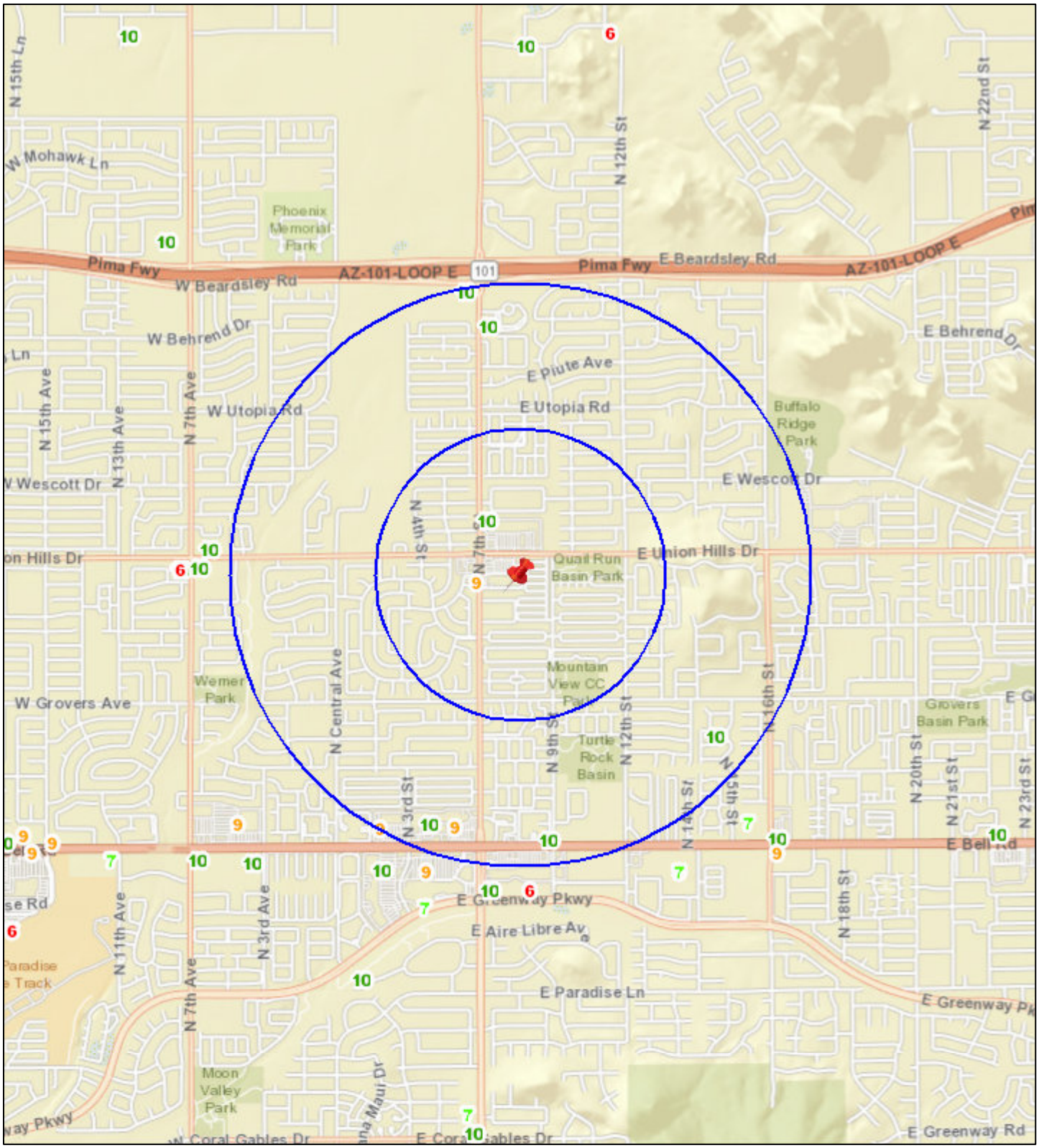
Description	Average	1/2 Mile Average
Parcels w/Violations	56	65
Total Violations	96	110

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6167001	2030	75 %	6 %	6 %
6168001	1293	91 %	0 %	17 %
6168003	1491	94 %	17 %	5 %
6189001	1603	54 %	10 %	6 %
6189002	1451	82 %	0 %	28 %
6190001	681	88 %	10 %	7 %
6190002	1340	91 %	0 %	9 %
6190003	974	61 %	17 %	6 %
6191002	617	22 %	45 %	19 %
6192002	1223	0 %	15 %	29 %
Average		61 %	13 %	19 %

Liquor License Map: BASHAS' #113

731 E UNION HILLS DR



N

Date: 12/17/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 2

Liquor License - Food City #104

Request for a liquor license. Arizona State License Application 09070737.

Summary

Applicant
Michael Basha, Agent

License Type
Series 9 - Liquor Store

Location
3202 E. Greenway Road
Zoning Classification: C-2 and C-2 SP
Council District: 2

This request is for an ownership transfer of a liquor license for a grocery store. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 9, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"Raley's Arizona, LLC is a community supermarket that operates over 126 supermarkets in two states. These supermarkets typically include the sale of packaged alcoholic beverages. Its employees and managers are trained to comply with all state and municipal liquor laws. Further, Raley's Arizona, LLC is purchasing the existing operations of Bashas' Inc., including its assets and employees, all of whom are experienced with the lawful sale of alcohol within the State of Arizona and the City of Phoenix."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This supermarket provides a one-stop source for the community's grocery needs. This is merely a change in ownership of the existing supermarket that currently exist at this location. Issuance of a liquor license will allow members of the community to safely and responsibly purchase packaged alcoholic beverages from their neighborhood supermarket."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Food City #104
Liquor License Map - Food City #104

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: FOOD CITY #104

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	2	0
Liquor Store	9	8	3
Beer and Wine Store	10	6	2
Restaurant	12	7	2
Club	14	1	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	70.14	71.12
Violent Crimes	9.21	15.71	14.64

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

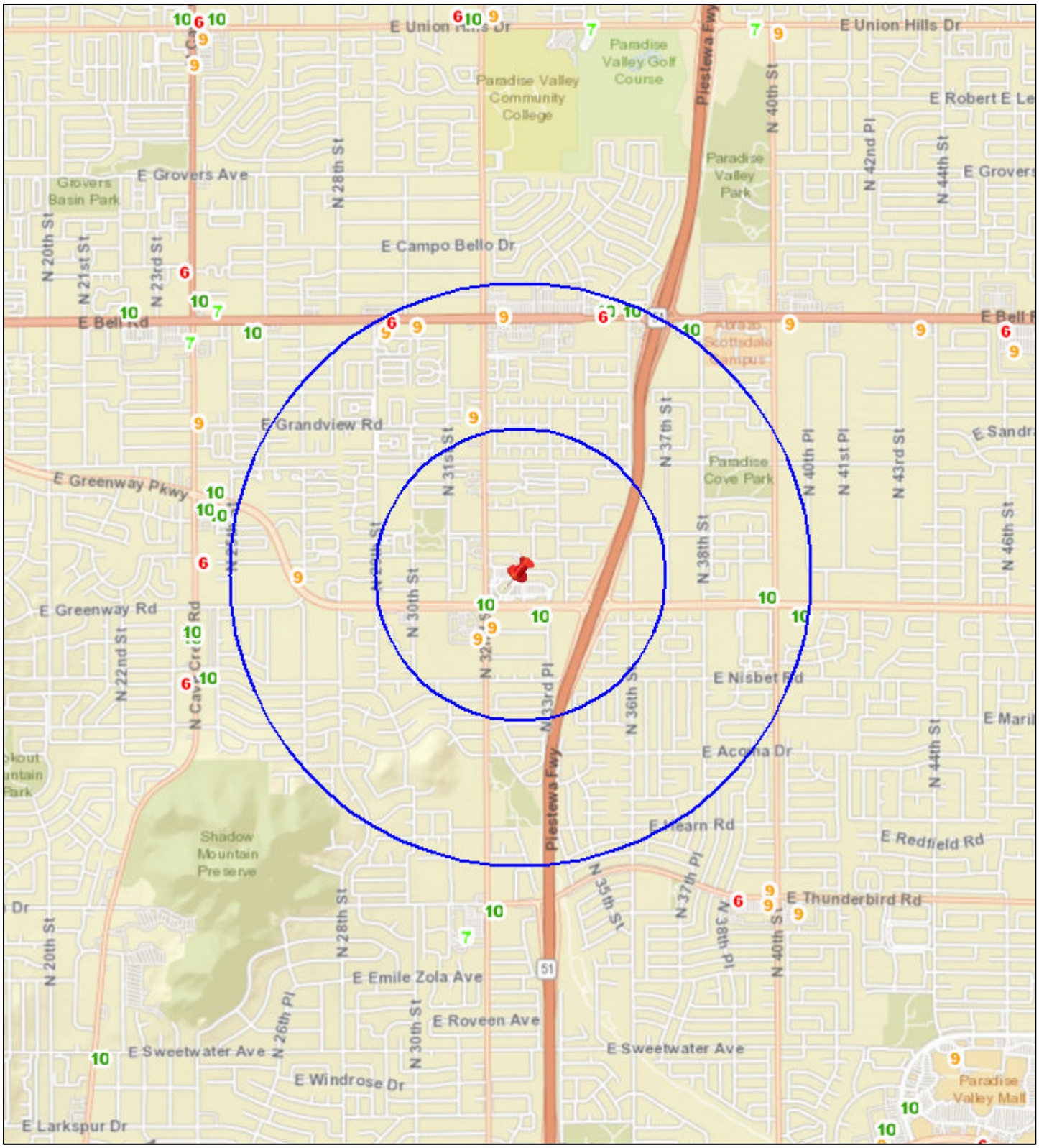
Description	Average	1/2 Mile Average
Parcels w/Violations	56	96
Total Violations	96	188

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1033021	1993	86 %	0 %	41 %
1033023	1946	82 %	2 %	19 %
1033031	1578	87 %	10 %	14 %
1033032	1103	78 %	9 %	18 %
1033033	1037	75 %	23 %	0 %
1033041	1926	47 %	13 %	34 %
1033042	1219	2 %	16 %	38 %
1033043	1952	26 %	28 %	48 %
1033062	2272	17 %	22 %	37 %
1035012	999	80 %	8 %	26 %
Average		61 %	13 %	19 %

Liquor License Map: FOOD CITY #104

3202 E GREENWAY RD



N

Date: 12/20/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 3

Liquor License - Kitsune Brewing Company

Request for a liquor license. Arizona State License Application 174725.

Summary

Applicant
Tyler Smith, Agent

License Type
Series 3 - Microbrewery

Location
3321 E. Bell Road, Ste. B-05
Zoning Classification: C-2
Council District: 2

This request is for a new liquor license for a microbrewery. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in April 2022.

The 60-day limit for processing this application is Feb. 9, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"As someone who has worked in the spiritous liquor space for the past two years and opened stores for Nike across the world I feel that my ability to judge and keep a safe space is something i pride myself on. I have also already acquired my Title 4 serving and management."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Breweries are a wonderful way to bring new business into an area. When done right a Microbrewery can bring in new investors in the community as well people filling leasing spaces around the brewery. I believe the community will be excited to have a new place with a fresh high end feeling on 32nd St and Bell."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Kitsune Brewing Company
Liquor License Map - Kitsune Brewing Company

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: KITSUNE BREWING COMPANY

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	2	2
Liquor Store	9	6	4
Beer and Wine Store	10	5	2
Restaurant	12	15	5

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	64.70	80.04
Violent Crimes	9.21	15.28	12.42

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

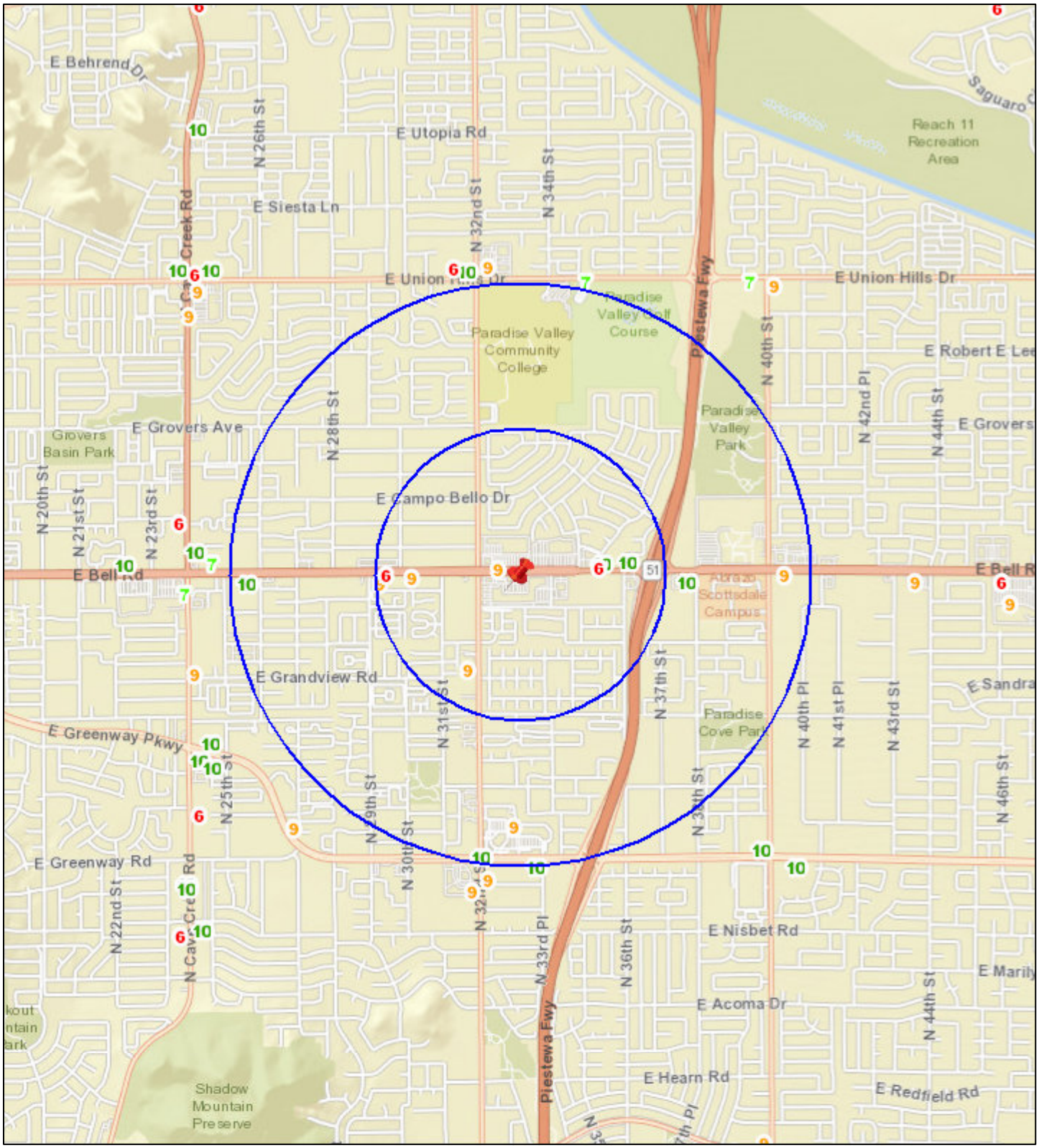
Description	Average	1/2 Mile Average
Parcels w/Violations	56	77
Total Violations	96	136

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1033031	1578	87 %	10 %	14 %
1033032	1103	78 %	9 %	18 %
1033033	1037	75 %	23 %	0 %
1033041	1926	47 %	13 %	34 %
1033042	1219	2 %	16 %	38 %
6195003	2362	65 %	14 %	8 %
6196001	2094	72 %	11 %	3 %
Average		61 %	13 %	19 %

Liquor License Map: KITSUNE BREWING COMPANY

3321 E BELL RD



N

Date: 12/17/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 4

Liquor License - Bashas' #15

Request for a liquor license. Arizona State License Application 09070741.

Summary

Applicant
Michael Basha, Agent

License Type
Series 9 - Liquor Store

Location
10631 N. 32nd St.
Zoning Classification: PSC
Council District: 3

This request is for an ownership transfer of a liquor license for a grocery store. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 9, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"Raley's Arizona, LLC is a community supermarket that operates over 126 supermarkets in two states. These supermarkets typically include the sale of packaged alcoholic beverages. Its employees and managers are trained to comply with all state and municipal liquor laws. Further, Raley's Arizona, LLC is purchasing the existing operations of Bashas' Inc., including its assets and employees, all of whom are experienced with the lawful sale of alcohol within the State of Arizona and the City of Phoenix."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This supermarket provides a one-stop source for the community's grocery needs. This is merely a change in ownership of the existing supermarket that currently exists at this location. Issuance of a liquor license will allow members of the community to safely and responsibly purchase packaged alcoholic beverages from their neighborhood supermarket."

Staff Recommendation
Staff recommends approval of this application noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

Attachments
Liquor License Data - Bashas' #15
Liquor License Map - Bashas' #15

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: BASHAS' #15

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	4	1
Beer and Wine Bar	7	1	1
Liquor Store	9	3	3
Beer and Wine Store	10	6	3
Restaurant	12	9	8

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	28.55	42.99
Violent Crimes	9.21	3.15	5.09

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

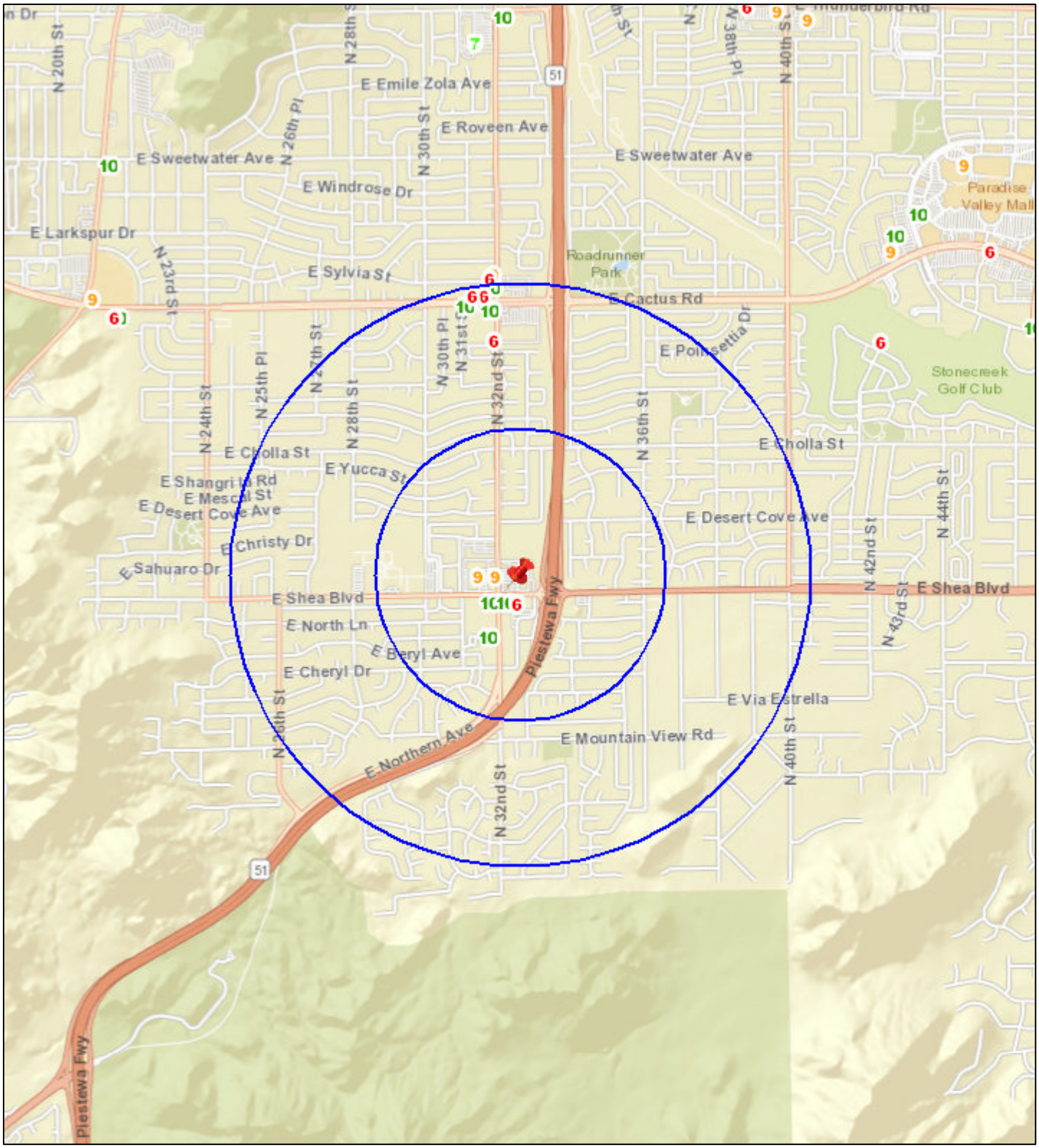
Description	Average	1/2 Mile Average
Parcels w/Violations	56	19
Total Violations	96	30

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1048011	1972	96 %	7 %	8 %
1048021	941	84 %	0 %	4 %
1048025	888	4 %	7 %	24 %
1049002	1133	88 %	3 %	13 %
1049003	2131	84 %	6 %	2 %
1051011	1042	100 %	7 %	7 %
1051013	1549	100 %	4 %	1 %
Average		61 %	13 %	19 %

Liquor License Map: BASHAS' #15

10631 N 32ND ST



N

Date: 12/17/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 5

Liquor License - Special Event - Barrow Neurological Foundation

Request for a Series 15 - Special Event liquor license for the temporary sale of all liquors.

Summary

Applicant
Erika Shafer

Location
2910 N. 3rd Ave., 5th Floor
Council District: 4

Function
Dinner

Date(s) - Time(s) / Expected Attendance
March 4, 2022 - 5:30 p.m. to 10:30 p.m. / 400 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 6

Liquor License - Special Event - Willo Neighborhood Association

Request for a Series 15 - Special Event liquor license for the temporary sale of all liquors.

Summary

Applicant
Linda Doescher

Location
301 W. Holly St.
Council District: 4

Function
Community Event

Date(s) - Time(s) / Expected Attendance
Feb. 19, 2022 - 4 p.m. to 10:30 p.m. / 350 attendees
Feb. 20, 2022 - 10 a.m. to 4:30 p.m. / 300 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 7

Liquor License - AJ's #64

Request for a liquor license. Arizona State License Application 07070287.

Summary

Applicant
Michael Basha, Agent

License Type
Series 7 - Beer and Wine Bar

Location
5017 N. Central Ave.
Zoning Classification: C-2
Council District: 4

This request is for an ownership transfer of a liquor license for a grocery store. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 9, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"Raley's Arizona, LLC is a community supermarket that operates over 126 supermarkets in two states. These supermarkets typically include the sale of packaged alcoholic beverages. Its employees and managers are trained to comply with all state and municipal liquor laws. Further, Raley's Arizona, LLC is purchasing the existing operations of Bashas' Inc., including its assets and employees, all of whom are experienced with the lawful sale of alcohol within the State of Arizona and the City of Phoenix."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This supermarket provides a one-stop source for the community's grocery needs. This is merely a change in ownership of the existing supermarket that currently exists at this location. Issuance of a liquor license will allow members of the community to safely and responsibly purchase packaged alcoholic beverages from their neighborhood supermarket."

Staff Recommendation
Staff recommends approval of this application noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

Attachments
Liquor License Data - AJ's #64
Liquor License Map - AJ's #64

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: AJ'S #64

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	2	2
Bar	6	14	3
Beer and Wine Bar	7	11	10
Liquor Store	9	6	1
Beer and Wine Store	10	8	2
Restaurant	12	56	27

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	118.20	114.43
Violent Crimes	9.21	19.37	15.92

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

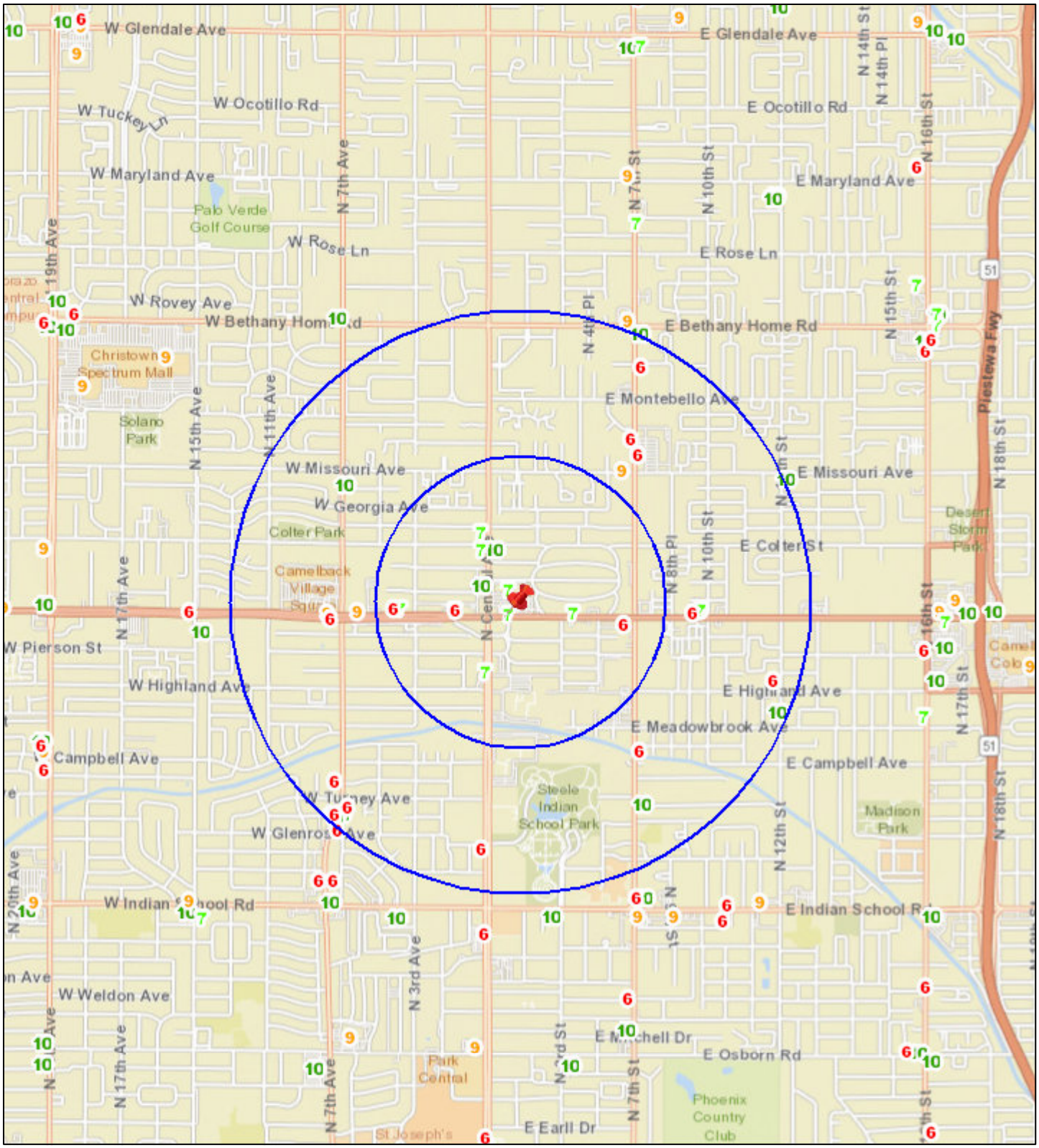
Description	Average	1/2 Mile Average
Parcels w/Violations	56	58
Total Violations	96	117

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1075001	758	80 %	2 %	3 %
1075002	1458	74 %	7 %	15 %
1075003	1599	46 %	15 %	14 %
1076013	1748	38 %	8 %	17 %
1086023	650	23 %	34 %	15 %
1088021	1456	23 %	32 %	31 %
1088022	435	43 %	41 %	19 %
1171001	2126	10 %	15 %	10 %
Average		61 %	13 %	19 %

Liquor License Map: AJ'S #64

5017 N CENTRAL AVE



N

Date: 12/20/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 8

Liquor License - AJ's #64

Request for a liquor license. Arizona State License Application 09070253.

Summary

Applicant
Michael Basha, Agent

License Type
Series 9 - Liquor Store

Location
5017 N. Central Ave.
Zoning Classification: C-2
Council District: 4

This request is for an ownership transfer of a liquor license for a grocery store. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 9, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"Raley's Arizona, LLC is a community supermarket that operates over 126 supermarkets in two states. These supermarkets typically include the sale of packaged alcoholic beverages. Its employees and managers are trained to comply with all state and municipal liquor laws. Further, Raley's Arizona, LLC is purchasing the existing operations of Bashas' Inc., including its assets and employees, all of whom are experienced with the lawful sale of alcohol within the State of Arizona and the City of Phoenix."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This supermarket provides a one-stop source for the community's grocery needs. This is merely a change in ownership of the existing supermarket that currently exists at this location. Issuance of a liquor license will allow members of the community to safely and responsibly purchase packaged alcoholic beverages from their neighborhood supermarket."

Staff Recommendation
Staff recommends approval of this application noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

Attachments
Liquor License Data - AJ's #64
Liquor License Map - AJ's #64

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: AJ'S #64

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	2	2
Bar	6	14	3
Beer and Wine Bar	7	11	10
Liquor Store	9	6	1
Beer and Wine Store	10	8	2
Restaurant	12	56	27

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	118.20	114.43
Violent Crimes	9.21	19.37	15.92

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

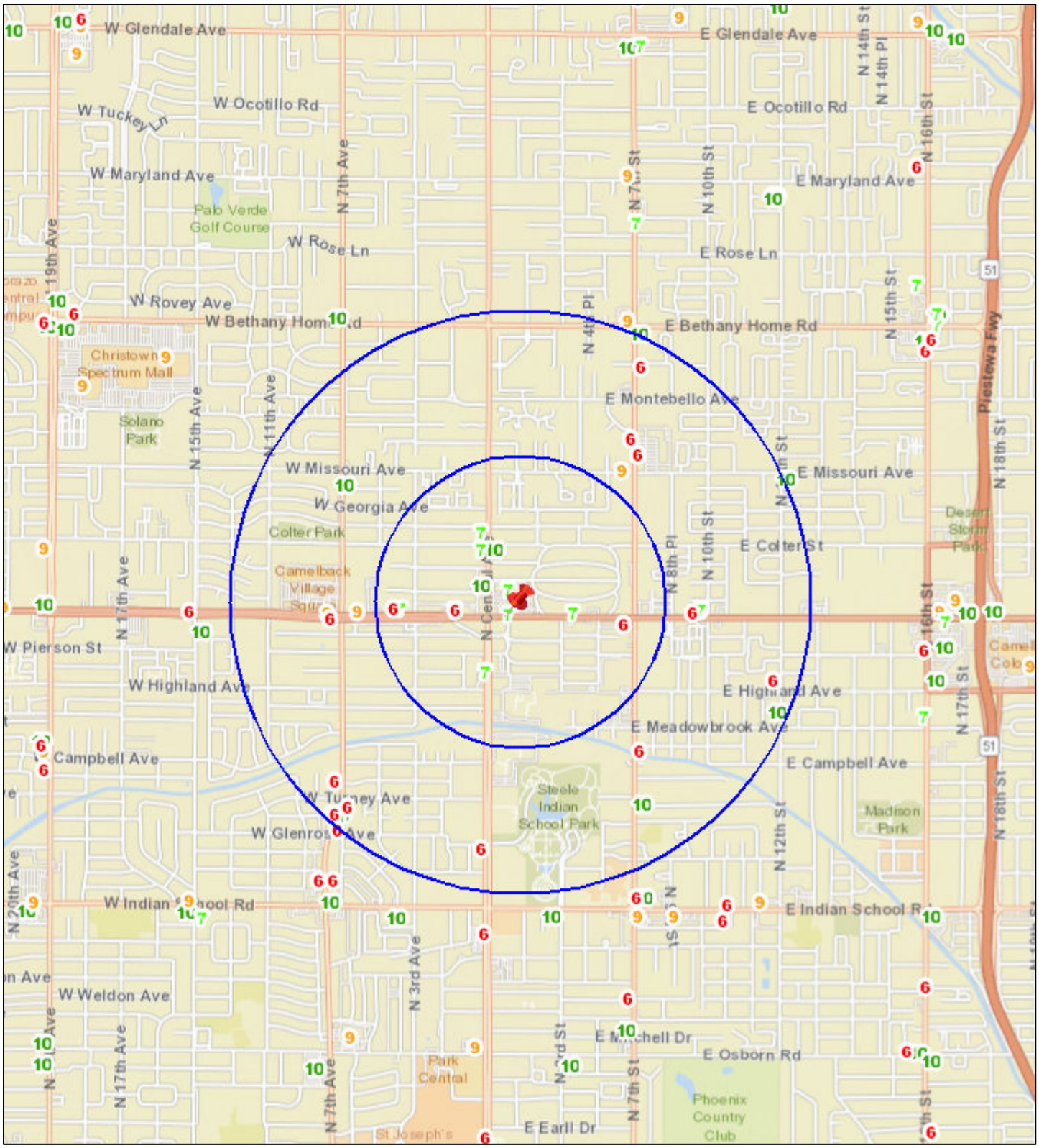
Description	Average	1/2 Mile Average
Parcels w/Violations	56	58
Total Violations	96	117

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1075001	758	80 %	2 %	3 %
1075002	1458	74 %	7 %	15 %
1075003	1599	46 %	15 %	14 %
1076013	1748	38 %	8 %	17 %
1086023	650	23 %	34 %	15 %
1088021	1456	23 %	32 %	31 %
1088022	435	43 %	41 %	19 %
1171001	2126	10 %	15 %	10 %
Average		61 %	13 %	19 %

Liquor License Map: AJ'S #64

5017 N CENTRAL AVE



N

Date: 12/20/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 9

Liquor License - Chars Live

Request for a liquor license. Arizona State License Application 06070527.

Summary

Applicant
Amy Nations, Agent

License Type
Series 6 - Bar

Location
4631 N. 7th Ave.
Zoning Classification: C-3
Council District: 4

This request is for an ownership transfer of a liquor license for a bar. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 14, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"The new owners of Chars own and operate many businesses here in Arizona. They are experienced in operating successful businesses. The owners have also received basic and management liquor law training and will have their staff trained as well to ensure compliance with all liquor laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Chars has been a staple of this community for more than 25 years. The new owners wish to continue on with this legacy. A great neighborhood spot with good music for years to come."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Chars Live
Liquor License Map - Chars Live

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: CHARS LIVE

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	2	0
Bar	6	14	8
Beer and Wine Bar	7	11	4
Liquor Store	9	4	2
Beer and Wine Store	10	10	3
Hotel	11	1	0
Restaurant	12	39	10

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	160	193.84
Violent Crimes	9.21	32.08	32.80

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

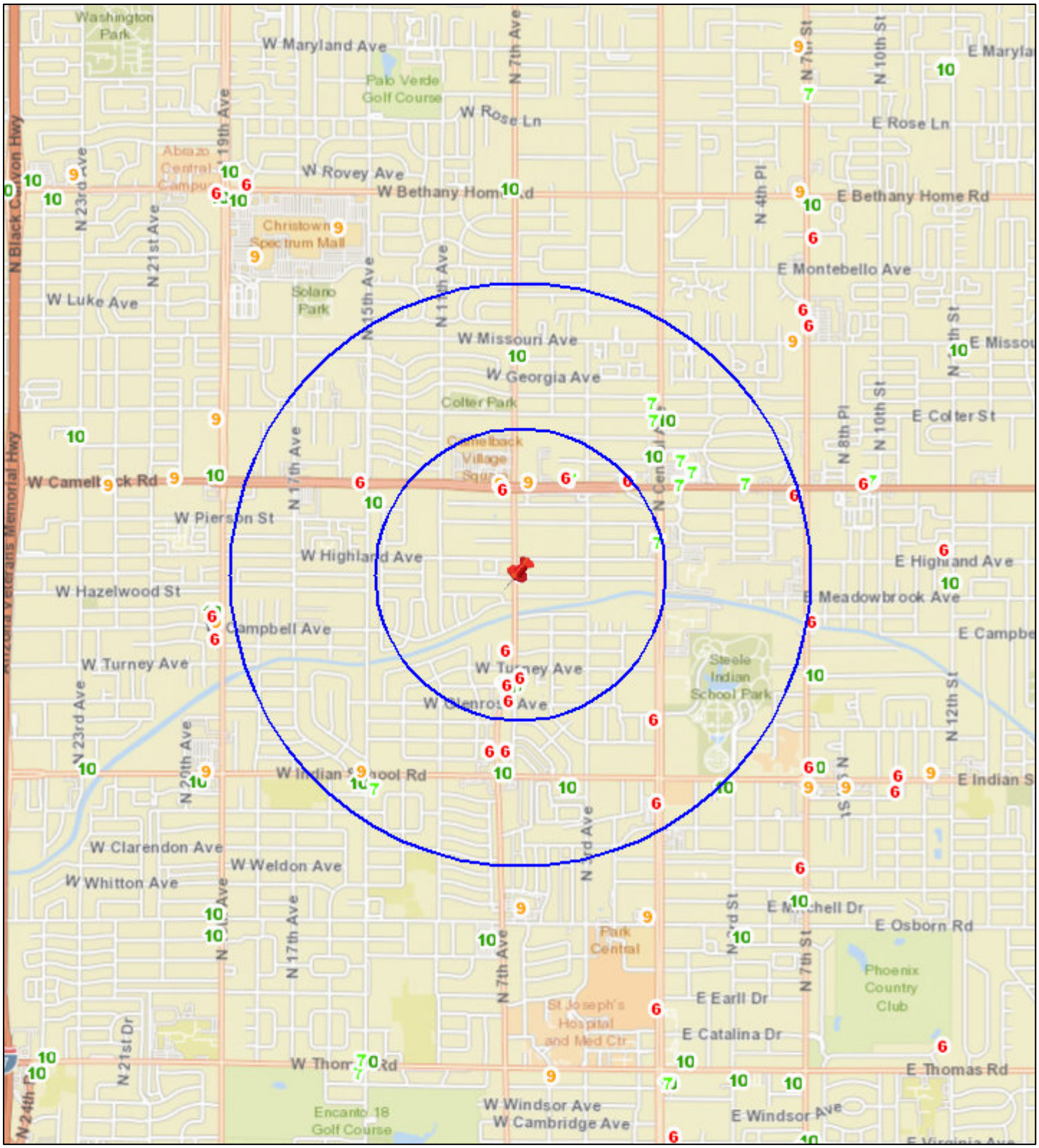
Description	Average	1/2 Mile Average
Parcels w/Violations	57	134
Total Violations	97	256

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1074002	1009	62 %	7 %	16 %
1074005	661	0 %	30 %	77 %
1075003	1599	46 %	15 %	14 %
1088021	1456	23 %	32 %	31 %
1088022	435	43 %	41 %	19 %
1089011	988	36 %	15 %	30 %
1089012	1297	31 %	23 %	54 %
1089023	1072	28 %	3 %	47 %
1089024	1278	46 %	9 %	21 %
1171001	2126	10 %	15 %	10 %
1171002	703	57 %	27 %	12 %
Average		61 %	13 %	19 %

Liquor License Map: CHARS LIVE

4631 N 7TH AVE



N

Date: 12/29/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 10

Liquor License - Flaming Pig

Request for a liquor license. Arizona State License Application 174974.

Summary

Applicant
Ashley Fuedan De Castro, Agent

License Type
Series 12 - Restaurant

Location
1534 W. Camelback Road
Zoning Classification: C-2
Council District: 4

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and does not have an interim permit.

The 60-day limit for processing this application is Feb. 12, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"We, all the owners, have attended and holder of Title 4 Basic Liquor Law Training Certificate of Completion. We are committed to insure the adherence to City of Phoenix and State laws. We will have strict policies in place and will be in-lined with the Arizona Liquor License Law regarding liquor serving and sales."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We at Flaming Pig will offer our customers "grill your own" filipino style barbeque on their table, the best authentic filipino food, and the world famous filipino hospitality. We would serve alcoholic beverage if the customer prefer to have one. Our patrons will enjoy a full service restaurant and great experience."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Flaming Pig
Liquor License Map - Flaming Pig

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: FLAMING PIG

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	10	1
Beer and Wine Bar	7	2	0
Liquor Store	9	8	1
Beer and Wine Store	10	8	2
Restaurant	12	16	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	256.44	250.63
Violent Crimes	9.21	47.16	81.52

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

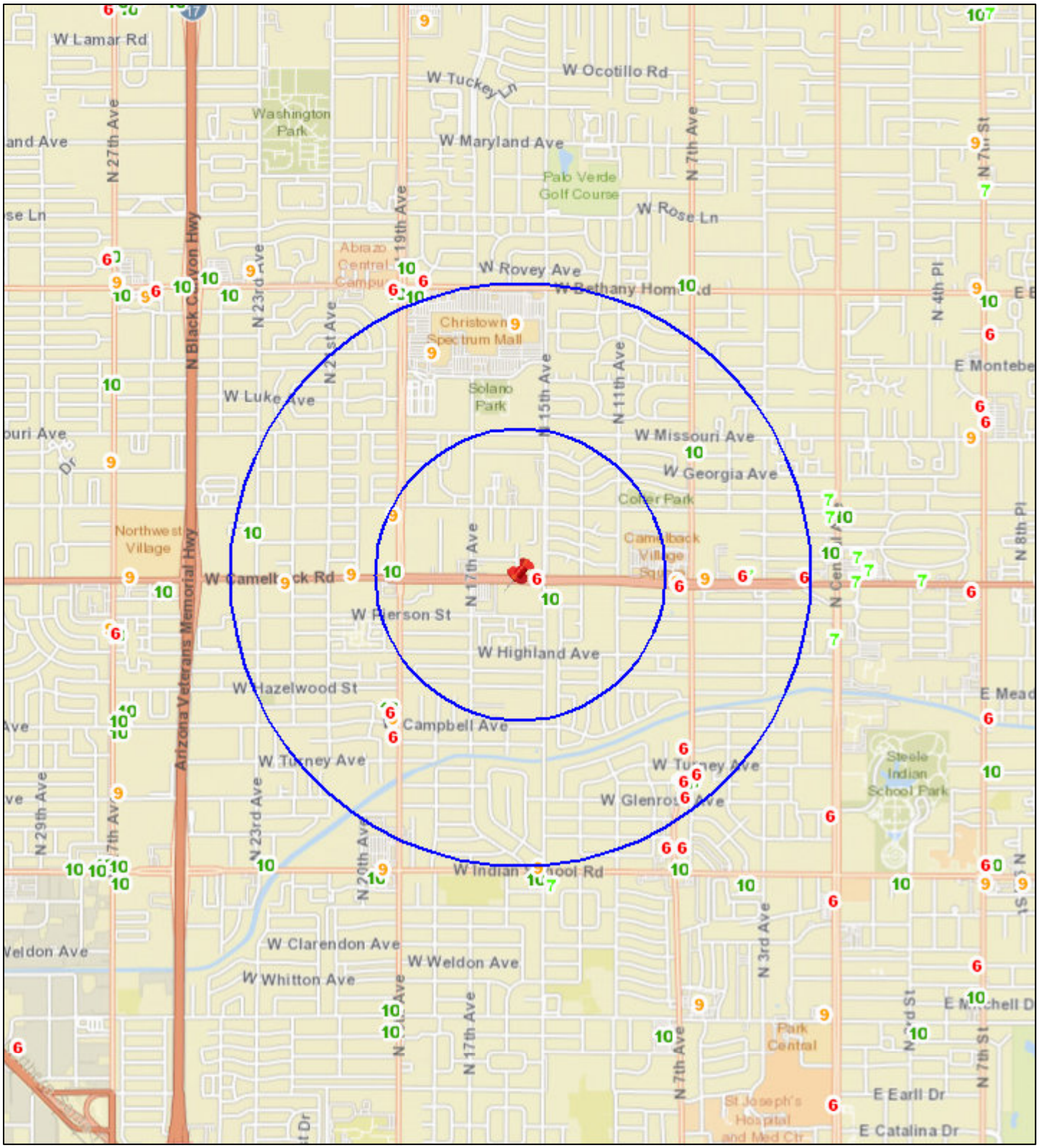
Description	Average	1/2 Mile Average
Parcels w/Violations	56	154
Total Violations	96	312

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1073002	1165	57 %	16 %	22 %
1074001	1280	80 %	4 %	15 %
1074002	1009	62 %	7 %	16 %
1074003	839	0 %	6 %	56 %
1074004	1382	20 %	26 %	30 %
1074005	661	0 %	30 %	77 %
1074006	2186	16 %	13 %	53 %
1089021	1258	16 %	12 %	49 %
1089022	1250	42 %	26 %	22 %
1089023	1072	28 %	3 %	47 %
1089024	1278	46 %	9 %	21 %
1090021	1571	18 %	15 %	41 %
1090023	622	62 %	39 %	4 %
Average		61 %	13 %	19 %

Liquor License Map: FLAMING PIG

1534 W CAMELBACK RD



N

Date: 12/20/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 11

Liquor License - Food City #94

Request for a liquor license. Arizona State License Application 09070644.

Summary

Applicant
Michael Basha, Agent

License Type
Series 9 - Liquor Store

Location
3442 W. Van Buren St.
Zoning Classification: C-2 and C-3
Council District: 4

This request is for an ownership transfer of a liquor license for a grocery store. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 9, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"Raley's Arizona, LLC is a community supermarket that operates over 126 supermarkets in two states. These supermarkets typically include the sale of packaged alcoholic beverages. Its employees and managers are trained to comply with all state and municipal liquor laws. Further, Raley's Arizona, LLC is purchasing the existing operations of Bashas' Inc., including its assets and employees, all of whom are experienced with the lawful sale of alcohol within the State of Arizona and the City of Phoenix."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This supermarket provides a one-stop source for the community's grocery needs. This is merely a change in ownership of the existing supermarket that currently exist at this location. Issuance of a liquor license will allow members of the community to safely and responsibly purchase packaged alcoholic beverages from their neighborhood supermarket."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Food City #94
Liquor License Map - Food City #94

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: FOOD CITY #94

Liquor License

Description	Series	1 Mile	1/2 Mile
Liquor Store	9	3	2
Beer and Wine Store	10	11	3
Restaurant	12	3	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	111.86	168.15
Violent Crimes	9.21	28.31	44.05

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

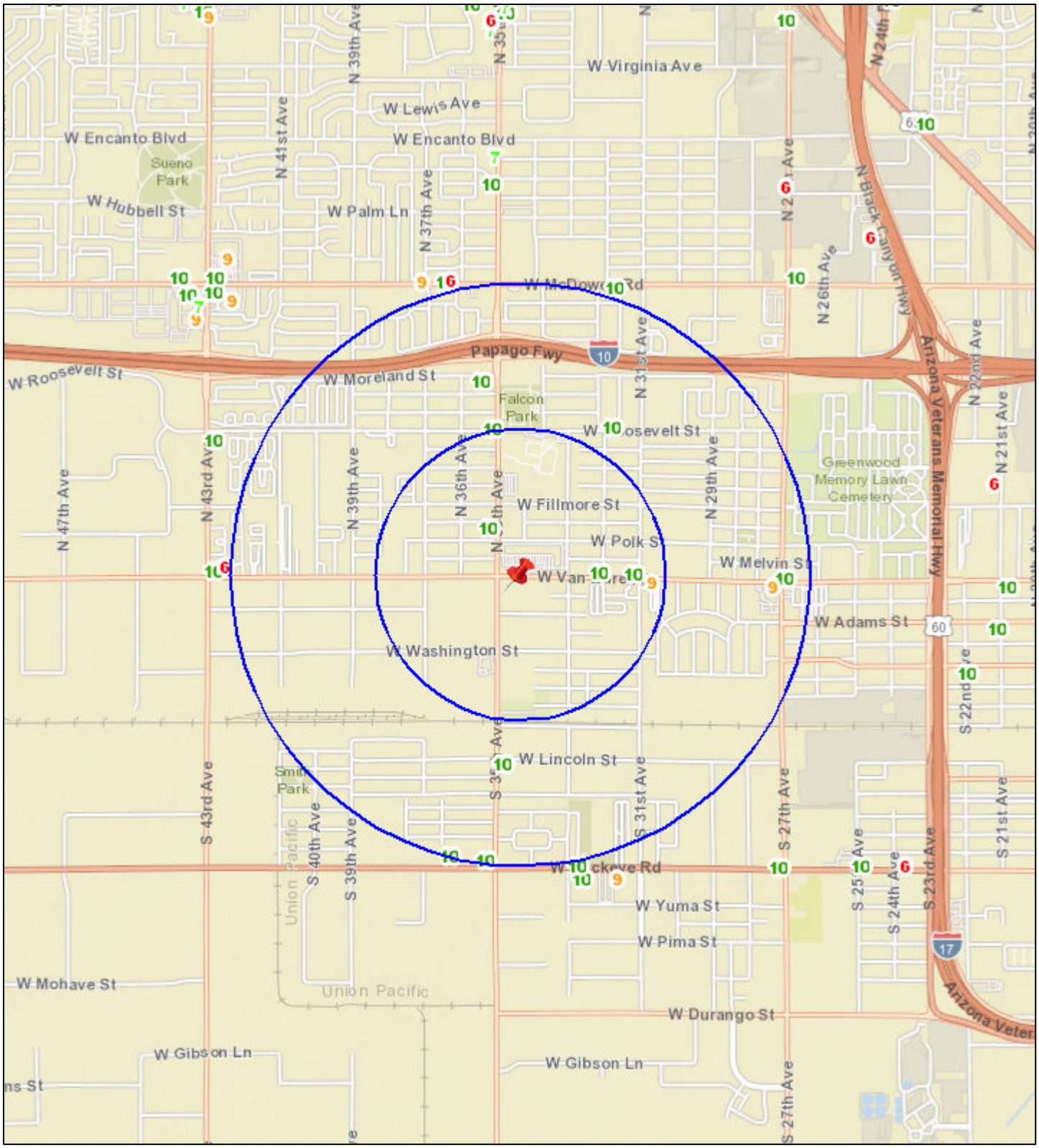
Description	Average	1/2 Mile Average
Parcels w/Violations	56	63
Total Violations	96	136

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1126021	1923	35 %	25 %	58 %
1126022	1581	27 %	12 %	44 %
1127001	1882	54 %	0 %	25 %
1127002	1540	50 %	25 %	56 %
1127003	2056	26 %	21 %	34 %
1145001	1332	59 %	11 %	24 %
1145002	1343	38 %	29 %	52 %
1146001	2149	47 %	16 %	45 %
Average		61 %	13 %	19 %

Liquor License Map: FOOD CITY #94

3442 W VAN BUREN ST



N

Date: 12/17/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 12

Liquor License - Food City #95

Request for a liquor license. Arizona State License Application 09070415.

Summary

Applicant
Michael Basha, Agent

License Type
Series 9 - Liquor Store

Location
1940 W. Indian School Road
Zoning Classification: C-2 and C-2 SP
Council District: 4

This request is for an ownership transfer of a liquor license for a grocery store. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 9, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"Raley's Arizona, LLC is a community supermarket that operates over 126 supermarkets in two states. These supermarkets typically include the sale of packaged alcoholic beverages. Its employees and managers are trained to comply with all state and municipal liquor laws. Further, Raley's Arizona, LLC is purchasing the existing operations of Bashas' Inc., including its assets and employees, all of whom are experienced with the lawful sale of alcohol within the State of Arizona and the City of Phoenix."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This supermarket provides a one-stop source for the community's grocery needs. This is merely a change in ownership of the existing supermarket that currently exist at this location. Issuance of a liquor license will allow members of the community to safely and responsibly purchase packaged alcoholic beverages from their neighborhood supermarket."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Food City #95
Liquor License Map - Food City #95

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: FOOD CITY #95

Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	1	0
Bar	6	3	1
Beer and Wine Bar	7	1	0
Liquor Store	9	4	1
Beer and Wine Store	10	10	3
Restaurant	12	8	4

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	186.70	223.35
Violent Crimes	9.21	58.78	61.25

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

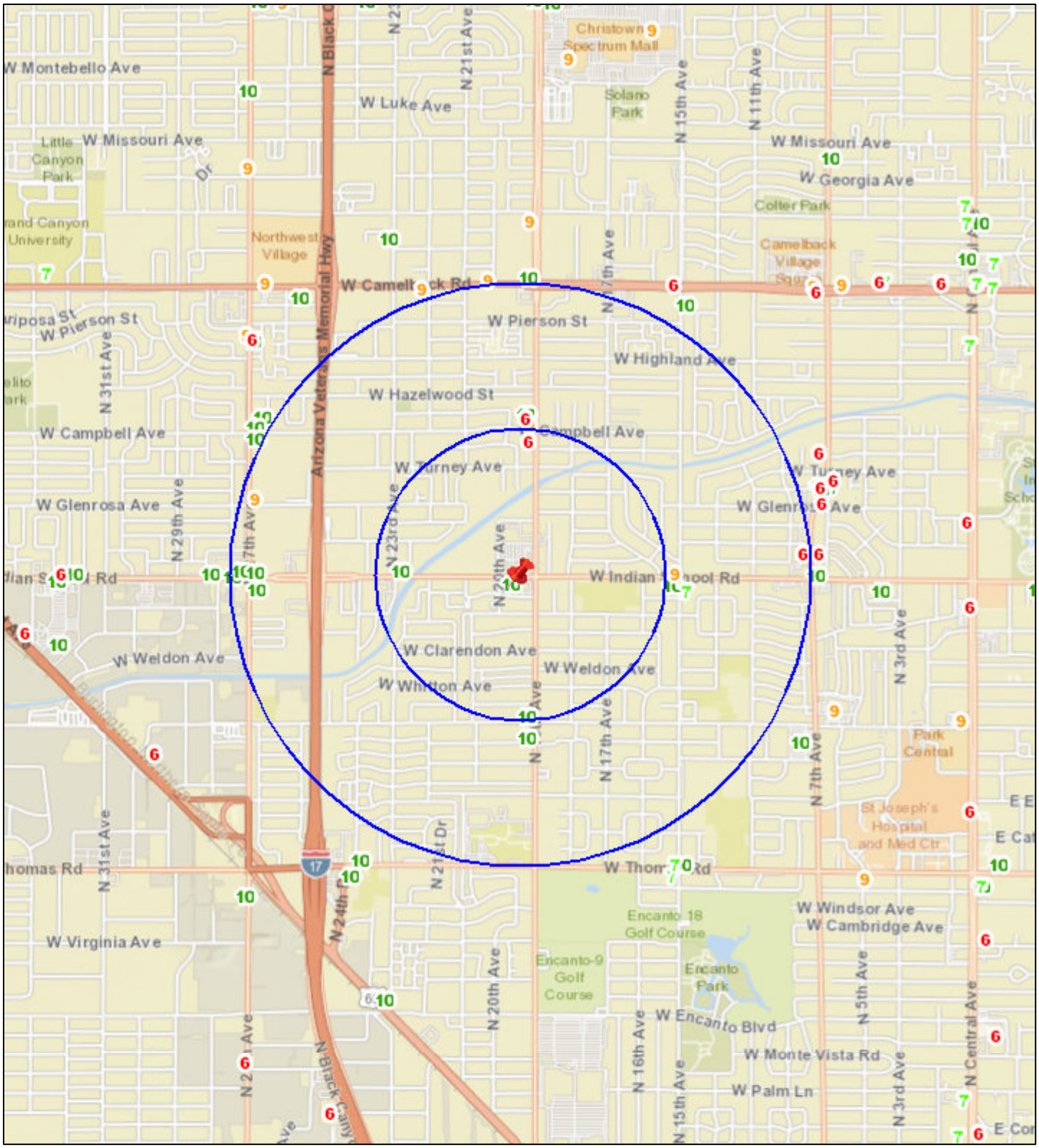
Description	Average	1/2 Mile Average
Parcels w/Violations	56	196
Total Violations	96	360

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1089013	956	82 %	4 %	8 %
1089022	1250	42 %	26 %	22 %
1090023	622	62 %	39 %	4 %
1090031	2380	23 %	26 %	52 %
1090032	1204	16 %	30 %	56 %
1090034	583	5 %	26 %	49 %
1104004	1344	49 %	16 %	20 %
1170001	2247	42 %	14 %	25 %
1170002	1845	32 %	9 %	34 %
Average		61 %	13 %	19 %

Liquor License Map: FOOD CITY #95

1940 W INDIAN SCHOOL RD



N

Date: 12/20/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 13

Liquor License - Food City #103

Request for a liquor license. Arizona State License Application 09070651.

Summary

Applicant
Michael Basha, Agent

License Type
Series 9 - Liquor Store

Location
4239 W. McDowell Road, Ste. 10
Zoning Classification: C-1
Council District: 4

This request is for an ownership transfer of a liquor license for a grocery store. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 9, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"Raley's Arizona, LLC is a community supermarket that operates over 126 supermarkets in two states. These supermarkets typically include the sale of packaged alcoholic beverages. Its employees and managers are trained to comply with all state and municipal liquor laws. Further, Raley's Arizona, LLC is purchasing the existing operations of Bashas' Inc., including its assets and employees, all of whom are experienced with the lawful sale of alcohol within the State of Arizona and the City of Phoenix."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This supermarket provides a one-stop source for the community's grocery needs. This is merely a change in ownership of the existing supermarket that currently exist at this location. Issuance of a liquor license will allow members of the community to safely and responsibly purchase packaged alcoholic beverages from their neighborhood supermarket."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Food City #103
Liquor License Map - Food City #103

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: FOOD CITY #103

Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	13	0
Bar	6	2	0
Beer and Wine Bar	7	1	1
Liquor Store	9	5	3
Beer and Wine Store	10	11	5
Restaurant	12	3	2
Club	14	1	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	152.83	264.86
Violent Crimes	9.21	36.73	50.63

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

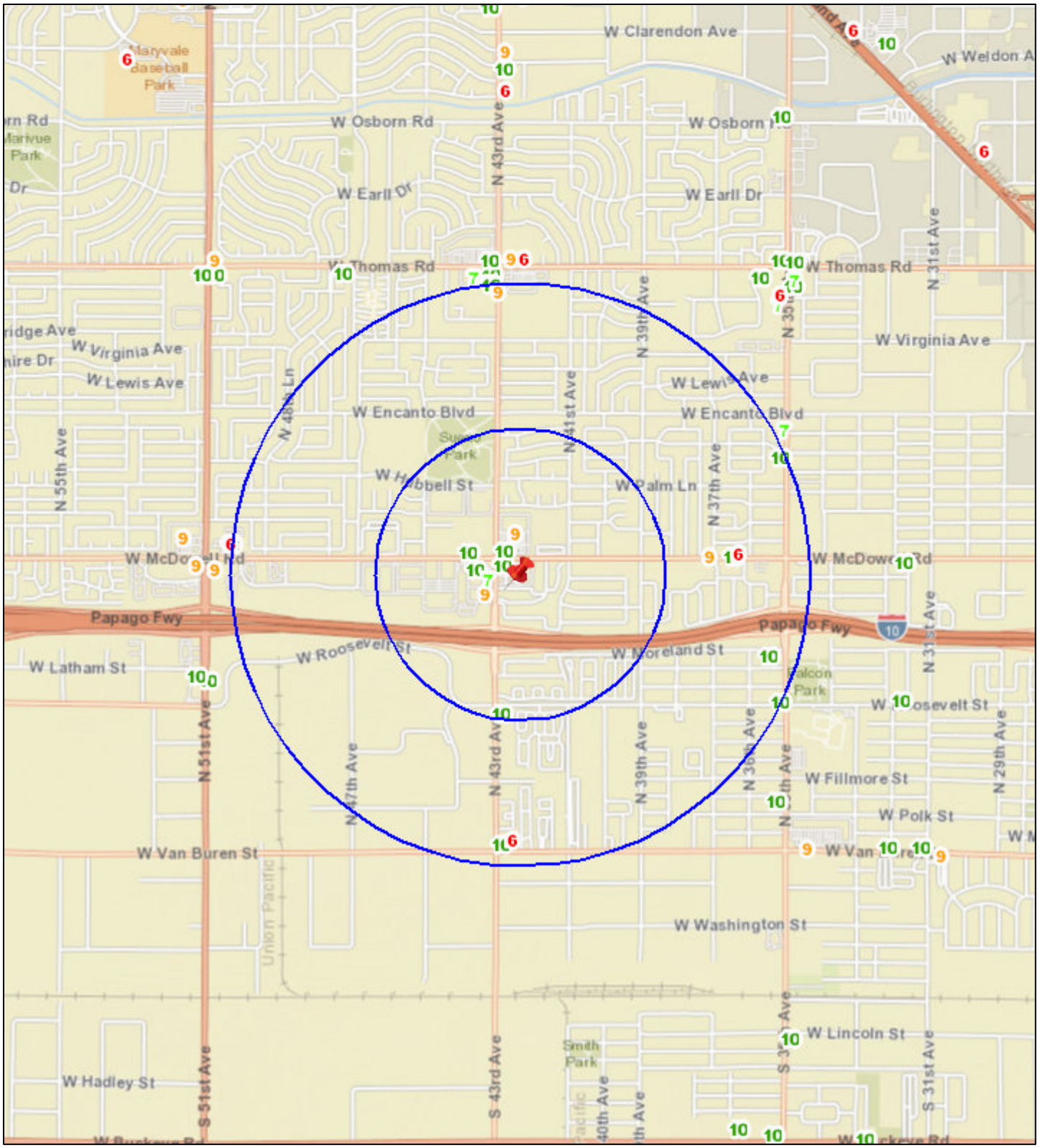
Description	Average	1/2 Mile Average
Parcels w/Violations	56	51
Total Violations	96	118

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1122012	2059	55 %	21 %	17 %
1122021	1490	26 %	16 %	53 %
1122022	1392	55 %	15 %	14 %
1123011	2466	11 %	19 %	42 %
1123013	1748	71 %	0 %	13 %
1125071	760	40 %	40 %	36 %
1125121	1518	14 %	36 %	22 %
1126011	1000	2 %	22 %	56 %
1126012	1987	42 %	16 %	47 %
1126021	1923	35 %	25 %	58 %
1126022	1581	27 %	12 %	44 %
1126023	1658	88 %	0 %	64 %
1126024	1959	57 %	2 %	47 %
Average		61 %	13 %	19 %

Liquor License Map: FOOD CITY #103

4239 W MCDOWELL RD



N

Date: 12/17/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 14

Liquor License - Food City #135

Request for a liquor license. Arizona State License Application 09070119.

Summary

Applicant
Michael Basha, Agent

License Type
Series 9 - Liquor Store

Location
5114 W. McDowell Road
Zoning Classification: C-2
Council District: 4

This request is for an ownership transfer of a liquor license for a grocery store. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 9, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"Raley's Arizona, LLC is a community supermarket that operates over 126 supermarkets in two states. These supermarkets typically include the sale of packaged alcoholic beverages. Its employees and managers are trained to comply with all state and municipal liquor laws. Further, Raley's Arizona, LLC is purchasing the existing operations of Bashas' Inc., including its assets and employees, all of whom are experienced with the lawful sale of alcohol within the State of Arizona and the City of Phoenix."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This supermarket provides a one-stop source for the community's grocery needs. This is merely a change in ownership of the existing supermarket that currently exists at this location. Issuance of a liquor license will allow members of the community to safely and responsibly purchase packaged alcoholic beverages from their neighborhood supermarket."

Staff Recommendation
Staff recommends approval of this application noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

Attachments
Liquor License Data - Food City #135
Liquor License Map - Food City #135

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: FOOD CITY #135

Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	2	0
Bar	6	2	2
Beer and Wine Bar	7	1	1
Liquor Store	9	4	3
Beer and Wine Store	10	11	3
Hotel	11	1	1
Restaurant	12	4	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	139.14	224.62
Violent Crimes	9.21	35.27	69.53

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

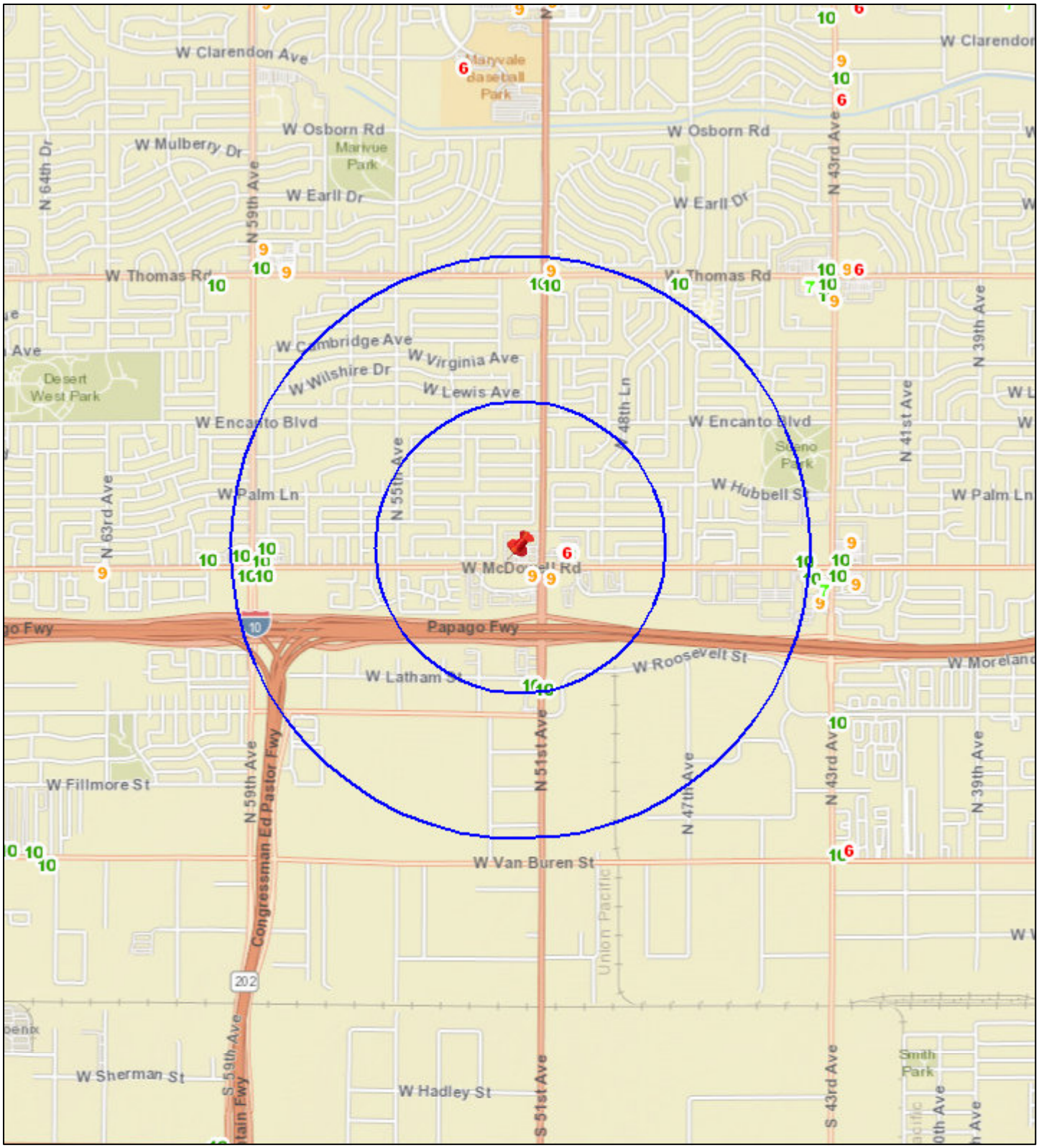
Description	Average	1/2 Mile Average
Parcels w/Violations	56	259
Total Violations	96	445

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1123012	2098	68 %	7 %	47 %
1123013	1748	71 %	0 %	13 %
1123021	1045	48 %	24 %	28 %
1124013	1653	64 %	17 %	20 %
1124021	1777	93 %	11 %	31 %
1124022	1531	76 %	21 %	27 %
1124023	1203	68 %	17 %	35 %
1125071	760	40 %	40 %	36 %
1125072	1489	2 %	11 %	57 %
1125121	1518	14 %	36 %	22 %
Average		61 %	13 %	19 %

Liquor License Map: FOOD CITY #135

5114 W MCDOWELL RD



N

Date: 12/16/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 15

Liquor License - Special Event - Knights of Columbus Cathedral Council 12708

Request for a Series 15 - Special Event liquor license for the temporary sale of all liquors.

Summary

Applicant
Richard Garrison

Location
6351 N. 27th Ave.
Council District: 5

Function
Dinner

Date(s) - Time(s) / Expected Attendance
Feb. 25, 2022 - 6 p.m. to 10 p.m. / 450 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 16

Liquor License - Food City #105

Request for a liquor license. Arizona State License Application 09070255.

Summary

Applicant
Michael Basha, Agent

License Type
Series 9 - Liquor Store

Location
3514 W. Glendale Ave.
Zoning Classification: C-2
Council District: 5

This request is for an ownership transfer of a liquor license for a grocery store. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 9, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"Raley's Arizona, LLC is a community supermarket that operates over 126 supermarkets in two states. These supermarkets typically include that sale of packaged alcoholic beverages. Its employees and managers are trained to comply with all state and municipal liquor laws. Further, Raley's Arizona, LLC is purchasing the existing operations of Bashas' Inc., including its assets and employees, all of whom are experienced with the lawful sale of alcohol within the State of Arizona and the City of Phoenix."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This supermarket provides a one-stop source for the community's grocery needs. This is merely a change in ownership of the existing supermarket that currently exists at this location, Issuance of a liquor license will allow members of the community to safely and responsibly purchase packaged alcoholic beverages from their neighborhood supermarket."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Food City #105
Liquor License Map - Food City #105

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: FOOD CITY #105

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	2	0
Beer and Wine Bar	7	1	1
Liquor Store	9	5	3
Beer and Wine Store	10	5	4
Restaurant	12	3	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	152.65	167.62
Violent Crimes	9.21	22.13	34.07

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

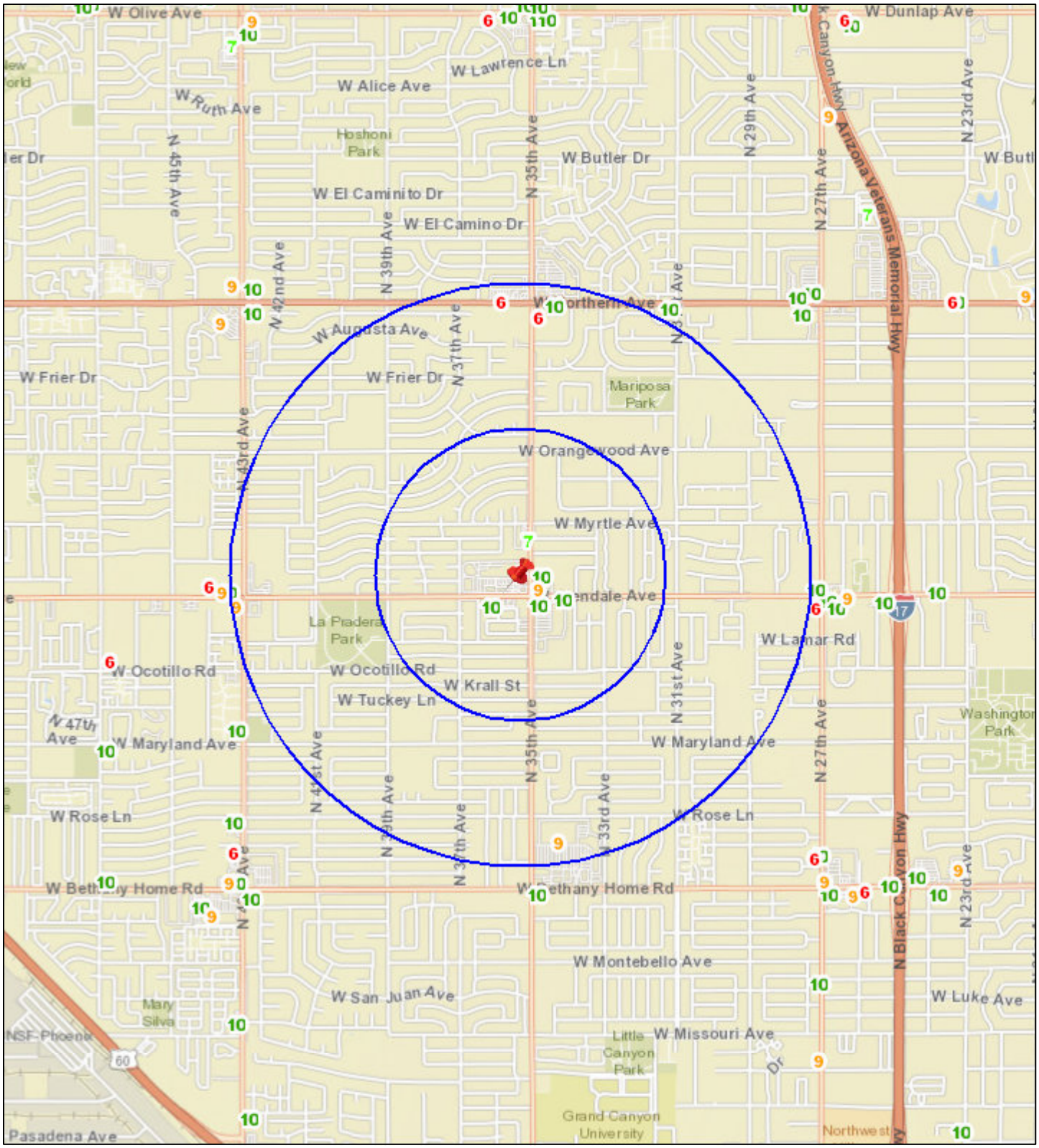
Description	Average	1/2 Mile Average
Parcels w/Violations	57	175
Total Violations	97	366

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1058001	1575	74 %	8 %	13 %
1058002	1458	81 %	9 %	36 %
1058003	1156	78 %	20 %	11 %
1059002	2227	70 %	11 %	22 %
1069004	2444	60 %	3 %	27 %
1070001	1623	80 %	6 %	32 %
1070004	1777	58 %	24 %	9 %
Average		61 %	13 %	19 %

Liquor License Map: FOOD CITY #105

3514 W GLENDALE AVE



N

Date: 1/14/2022

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 17

Liquor License - Godspeed Fuel LLC

Request for a liquor license. Arizona State License Application 169114.

Summary

Applicant
Sathyan Suganya, Agent

License Type
Series 10 - Beer and Wine Store

Location
2740 W. Northern Ave.
Zoning Classification: C-2
Council District: 5

This request is for a new liquor license for a convenience store that sells gas. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 11, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"I will not misuse it and will use it only for legal & business reasons. I will conduct business within the limitations of law."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I will use the liquor license to legally run my gas station & convenience store. I have also registered with the city of phoenix Police department."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Godspeed Fuel LLC
Liquor License Map - Godspeed Fuel LLC

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: GODSPEED FUEL LLC

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	3	0
Beer and Wine Bar	7	1	1
Liquor Store	9	2	0
Beer and Wine Store	10	7	4
Restaurant	12	6	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	158.41	198.08
Violent Crimes	9.21	40.20	59.23

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

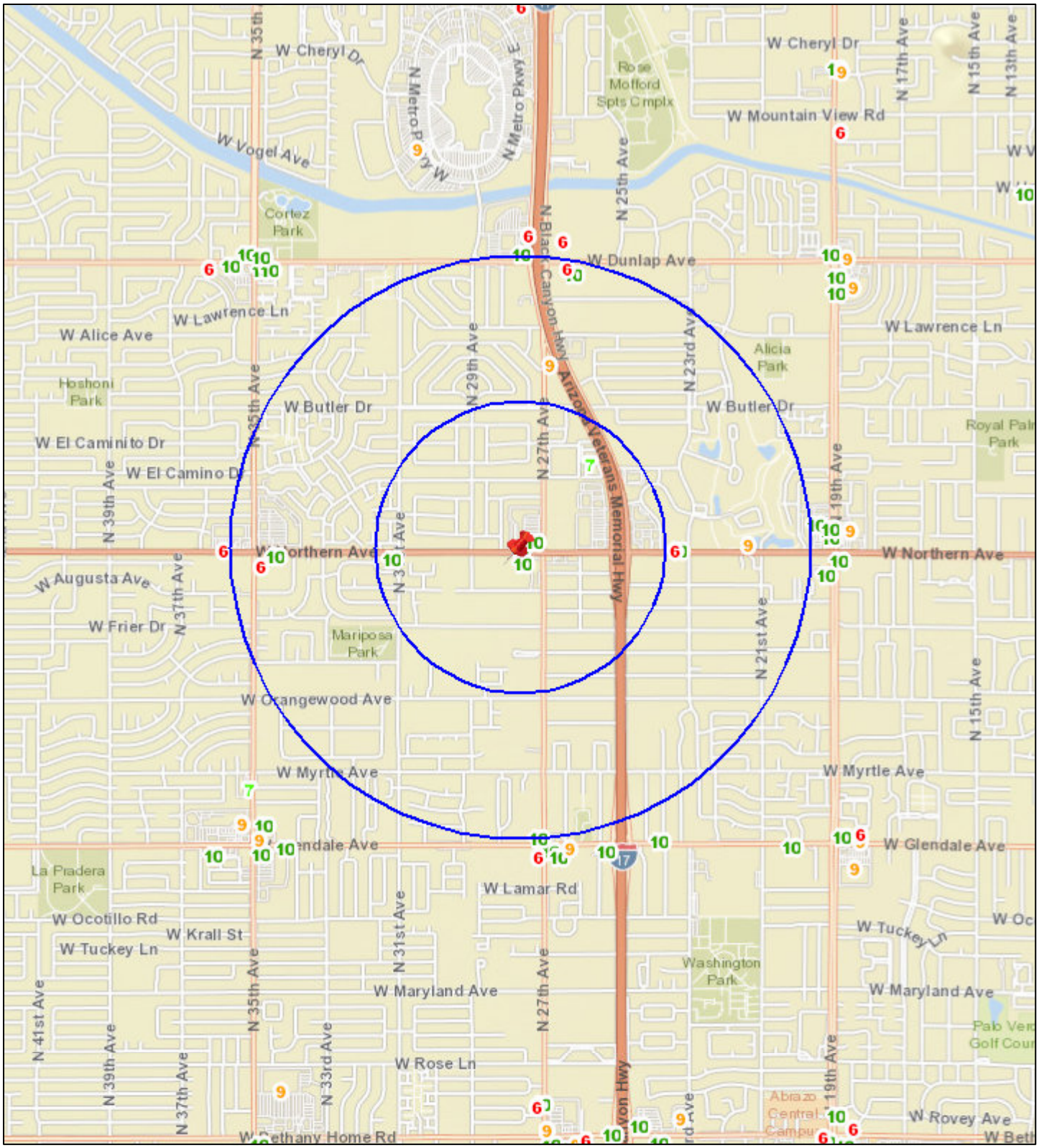
Description	Average	1/2 Mile Average
Parcels w/Violations	56	97
Total Violations	96	200

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1055011	1055	38 %	6 %	59 %
1055012	1442	0 %	11 %	38 %
1056011	2072	66 %	5 %	23 %
1056012	1895	76 %	6 %	27 %
1056021	2042	80 %	0 %	26 %
1059001	1697	50 %	0 %	42 %
1059003	1609	59 %	5 %	25 %
1060011	1487	31 %	17 %	50 %
1060021	1678	27 %	14 %	27 %
Average		61 %	13 %	19 %

Liquor License Map: GODSPEED FUEL LLC

2740 W NORTHERN AVE



N

Date: 12/16/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 18

Liquor License - 7-Eleven #21040F

Request for a liquor license. Arizona State License Application 170382.

Summary

Applicant
Vaneet Sapra, Agent

License Type
Series 10 - Beer and Wine Store

Location
5135 E. Thomas Road
Zoning Classification: C-2
Council District: 6

This request is for a new liquor license for a convenience store that does not sell gas. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 13, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"I am currently the franchisee and responsible operator for multiple 7-Eleven convenience stores. I have been a 7-Eleven franchisee since 2006 and have completed an extensive corporate training program regarding the operation of 7-Eleven stores and have completed basic and management liquor training by an authorized trainer, as required by Arizona liquor laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This location has been a 7-Eleven store for many years. I will operate the store in the same responsible manner as my other stores and with the high standards required of 7-Eleven franchisees. I plan to continue to provide quality service to the neighbors of this store, and to the general public which they have enjoyed and have come to rely on for many years."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - 7-Eleven #21040F
Liquor License Map - 7-Eleven #21040F

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: 7-ELEVEN #21040F

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	4	0
Liquor Store	9	3	0
Beer and Wine Store	10	7	4
Restaurant	12	6	0
Club	14	1	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	74.41	87.04
Violent Crimes	9.21	10.19	16.13

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

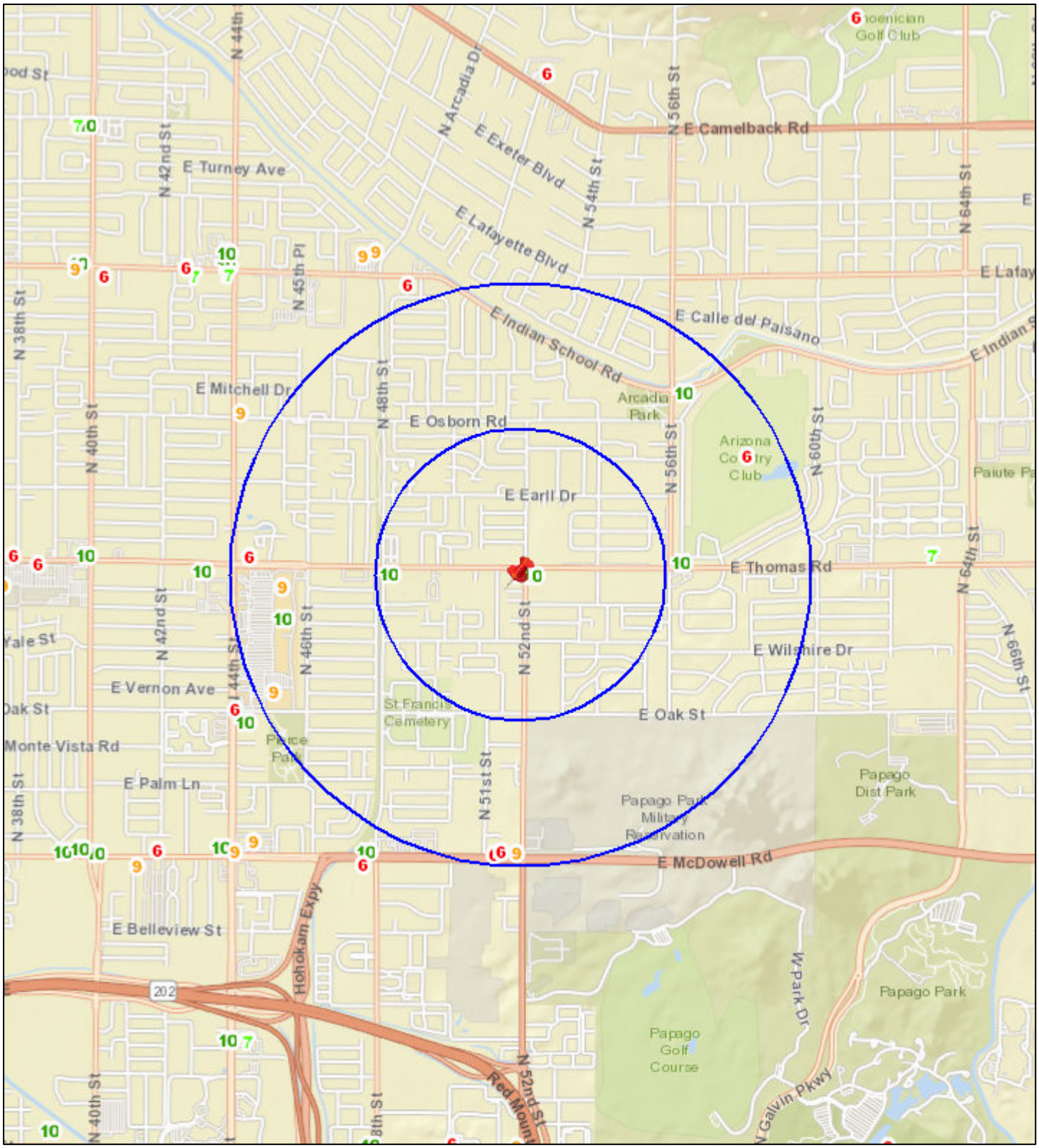
Description	Average	1/2 Mile Average
Parcels w/Violations	57	62
Total Violations	96	95

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1110005	698	88 %	19 %	5 %
1111001	1149	81 %	11 %	6 %
1111002	1188	43 %	27 %	26 %
1111003	2317	84 %	11 %	8 %
1112011	963	27 %	29 %	11 %
1112012	1138	48 %	13 %	4 %
1112013	2473	34 %	14 %	37 %
1112014	620	63 %	23 %	3 %
1112041	1729	11 %	32 %	19 %
1113004	703	87 %	31 %	15 %
Average		61 %	13 %	19 %

Liquor License Map: 7-ELEVEN #21040F

5135 E THOMAS RD



N

Date: 12/22/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 19

Liquor License - AJ'S #159

Request for a liquor license. Arizona State License Application 09070659.

Summary

Applicant
Michael Basha, Agent

License Type
Series 9 - Liquor Store

Location
4430 E. Camelback Road
Zoning Classification: PAD- 4
Council District: 6

This request is for an ownership transfer of a liquor license for a grocery store. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 9, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"Raley's Arizona, LLC is a community supermarket that operates over 126 supermarkets in two states. These supermarkets typically include the sale of packaged alcoholic beverages. Its employees and managers are trained to comply with all state and municipal liquor laws. Further, Raley's Arizona, LLC is purchasing the existing operations of Bashas' Inc., including its assets and employees, all of whom are experienced with the lawful sale of alcohol within the State of Arizona and the City of Phoenix."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This supermarket provides a one-stop source for the community's grocery needs. This is merely a change in ownership of the existing supermarket that currently exists at this locations. Issuance of a liquor license will allow members of the community to safely and responsibly purchase packaged alcoholic beverages from their neighborhood supermarket."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - AJ'S #159
Liquor License Map - AJ'S #159

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: AJ'S #159

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	1	1
Beer and Wine Bar	7	3	1
Liquor Store	9	3	2
Beer and Wine Store	10	3	0
Restaurant	12	16	7

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	33.12	47.23
Violent Crimes	9.21	2.65	3.07

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

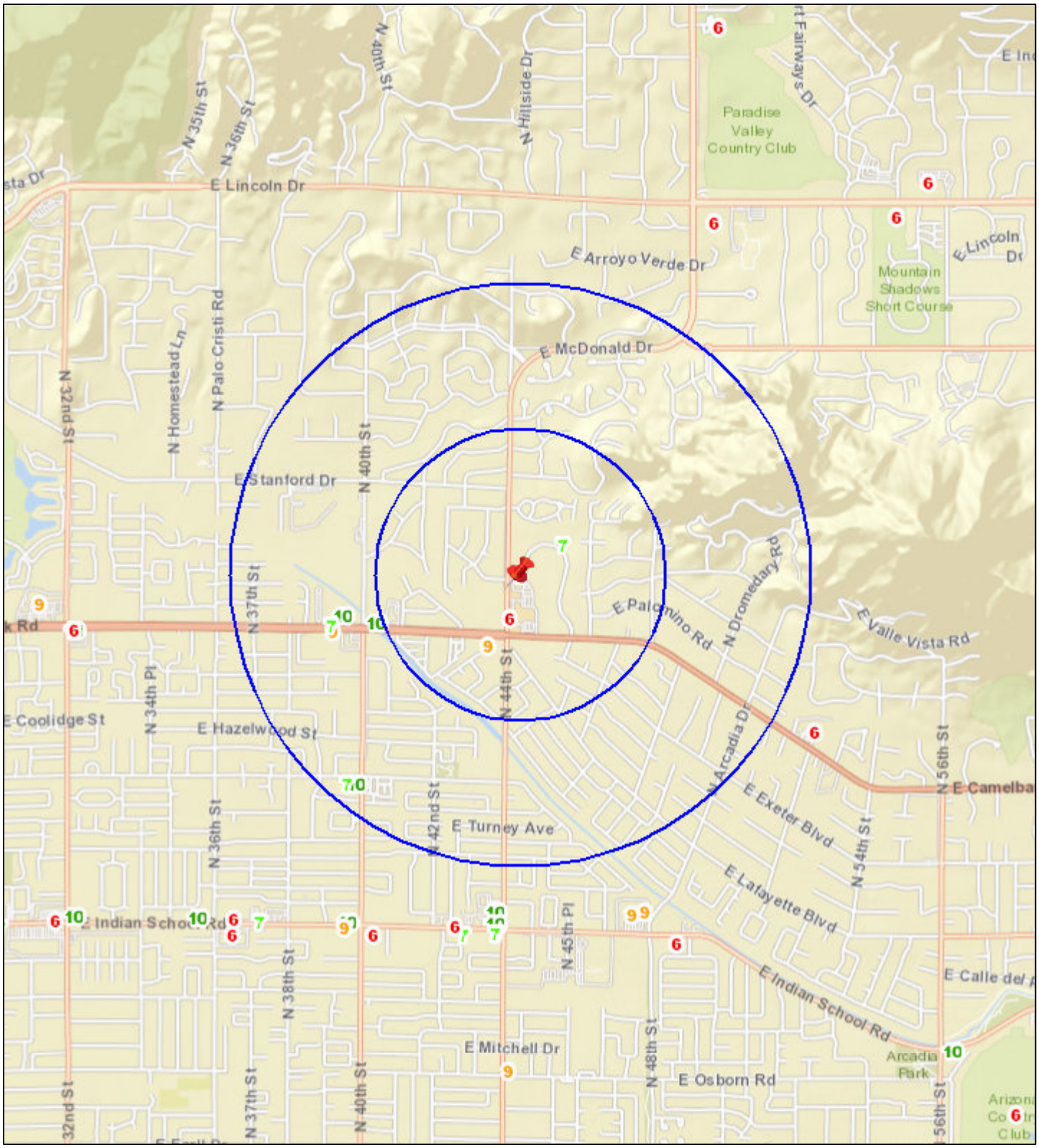
Description	Average	1/2 Mile Average
Parcels w/Violations	57	7
Total Violations	97	13

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1079001	1112	98 %	11 %	5 %
1079002	1436	98 %	17 %	7 %
1079003	1457	31 %	6 %	6 %
1081001	1849	78 %	1 %	7 %
1082001	717	56 %	23 %	6 %
Average		61 %	13 %	19 %

Liquor License Map: AJ'S #159

4430 E CAMELBACK RD



N

Date: 1/14/2022

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 20

Liquor License - Bashas' #11

Request for a liquor license. Arizona State License Application 09070039.

Summary

Applicant
Michael Basha, Agent

License Type
Series 9 - Liquor Store

Location
4855 E. Warner Road
Zoning Classification: C-1 and C-2
Council District: 6

This request is for an ownership transfer of a liquor license for a grocery store. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 9, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"Raley's Arizona, LLC is a community supermarket that operates over 126 supermarkets in two states. These supermarkets typically include the sale of packaged alcoholic beverages. Its employees and managers are trained to comply with all state and municipal liquor laws. Further, Raley's Arizona, LLC is purchasing the existing operations of Bashas' Inc., including its assets and employees, all of whom are experienced with the lawful sale of alcohol within the State of Arizona and the City of Phoenix."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This supermarket provides a one-stop source for the community's grocery needs. This is merely a change in ownership of the existing supermarket that currently exist at this location. Issuance of a liquor license will allow members of the community to safely and responsibly purchase packaged alcoholic beverages from their neighborhood supermarket."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Bashas' #11
Liquor License Map - Bashas' #11

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: BASHAS' #11

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	0
Bar	6	5	2
Beer and Wine Bar	7	6	3
Liquor Store	9	10	2
Beer and Wine Store	10	4	1
Hotel	11	2	0
Restaurant	12	25	6

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	52.89	60.08
Violent Crimes	9.21	5.01	8.49

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

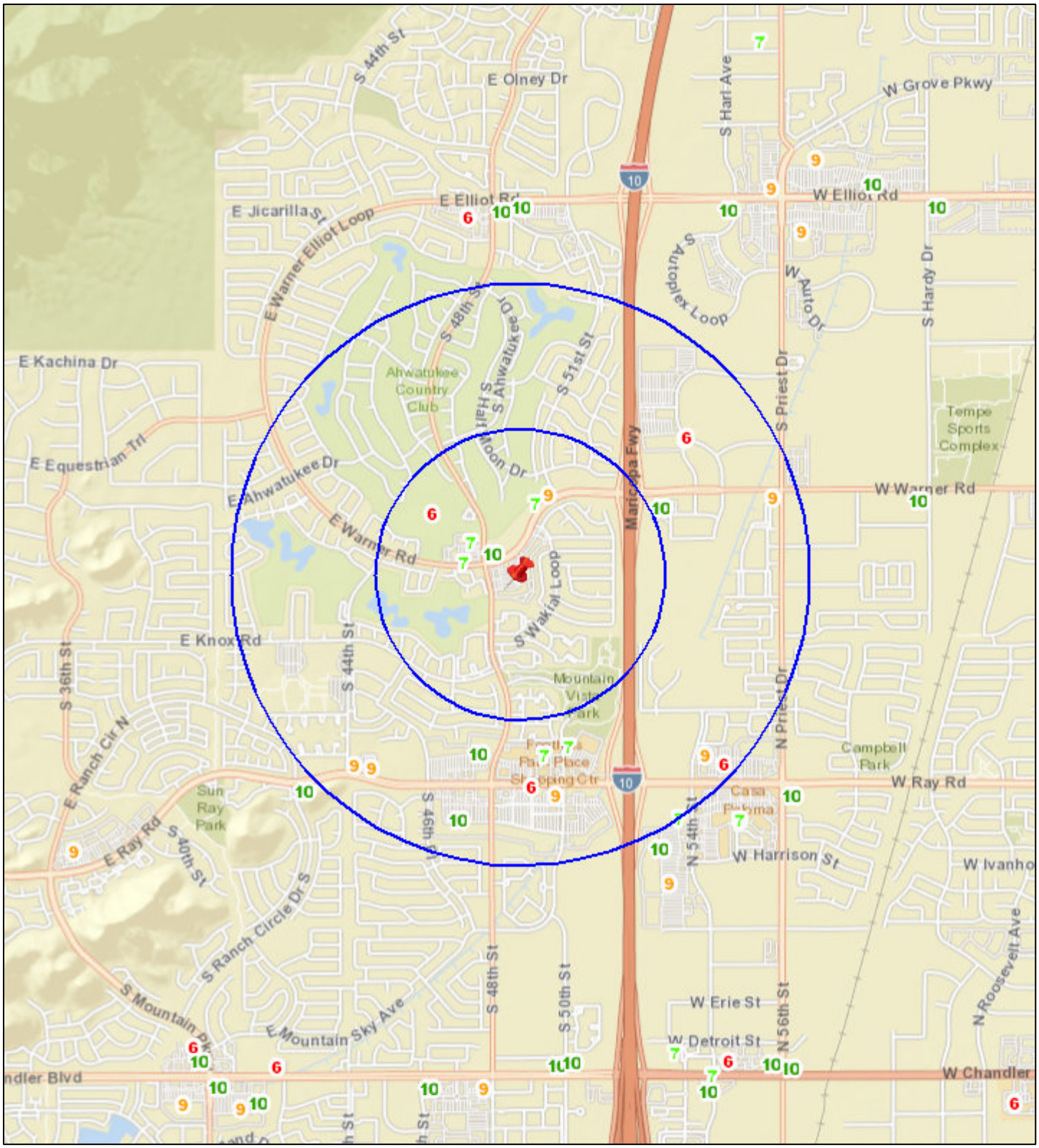
Description	Average	1/2 Mile Average
Parcels w/Violations	56	4
Total Violations	97	6

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1167081	1516	88 %	0 %	2 %
1167082	1243	52 %	3 %	17 %
1167083	1314	34 %	0 %	7 %
1167111	758	80 %	4 %	15 %
1167171	1769	0 %	25 %	11 %
1167172	1663	40 %	18 %	17 %
1167181	2685	40 %	10 %	9 %
3199101	2488	92 %	3 %	12 %
8100001	1870	83 %	10 %	0 %
8104002	314	3 %	25 %	12 %
Average		61 %	13 %	19 %

Liquor License Map: BASHAS' #11

4855 E WARNER RD



N

Date: 1/19/2022

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 21

Liquor License - Bashas' #158

Request for a liquor license. Arizona State License Application 09070660.

Summary

Applicant
Michael Basha, Agent

License Type
Series 9 - Liquor Store

Location
5555 N. 7th St., Ste. 130
Zoning Classification: C-2
Council District: 6

This request is for an ownership transfer of a liquor license for a grocery store. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 9, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"Raley's Arizona, LLC is a community supermarket that operates over 126 supermarkets in two states. These supermarkets typically include the sale of packaged alcoholic beverages. Its employees and managers are trained to comply with all state and municipal liquor laws. Further, Raley's Arizona, LLC is purchasing the existing operations of Bashas' Inc., including its assets and employees, all of whom are experienced with the lawful sale of alcohol within the State of Arizona and the City of Phoenix."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This supermarket provides a one-stop source for the community's grocery needs. This is merely a change in ownership of the existing supermarket that currently exist at this location. Issuance of a liquor license will allow members of the community to safely and responsibly purchase packaged alcoholic beverages from their neighborhood supermarket."

Staff Recommendation
Staff recommends approval of this application noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

Attachments
Liquor License Data - Bashas' #158
Liquor License Map - Bashas' #158

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: BASHAS #158

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	2	0
Bar	6	8	3
Beer and Wine Bar	7	12	0
Liquor Store	9	6	3
Beer and Wine Store	10	5	1
Restaurant	12	50	18

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	91.85	95.22
Violent Crimes	9.21	11.75	10.82

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

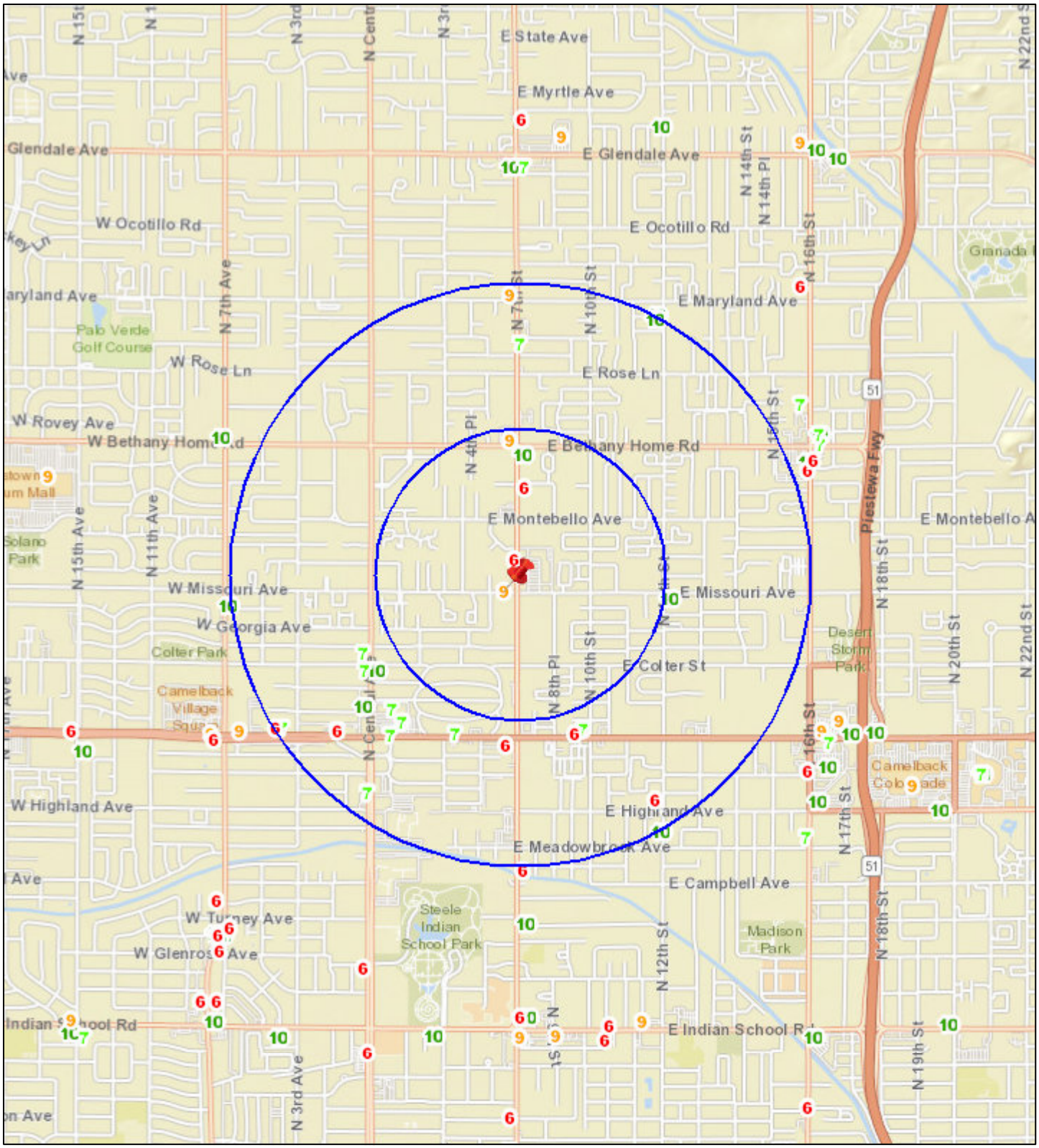
Description	Average	1/2 Mile Average
Parcels w/Violations	56	52
Total Violations	96	88

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1065012	1594	61 %	18 %	32 %
1066002	2064	83 %	7 %	5 %
1075001	758	80 %	2 %	3 %
1075002	1458	74 %	7 %	15 %
1076011	319	65 %	16 %	46 %
1076012	904	38 %	24 %	23 %
1076013	1748	38 %	8 %	17 %
1076021	1311	82 %	0 %	6 %
Average		61 %	13 %	19 %

Liquor License Map: BASHAS #158

5555 N 7TH ST



N

Date: 12/20/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 22

Liquor License - Mr. Moto Pizza

Request for a liquor license. Arizona State License Application 175142.

Summary

Applicant
Jared Repinski, Agent

License Type
Series 12 - Restaurant

Location
3945 E. Camelback Road
Zoning Classification: C-2
Council District: 6

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb.13, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"I have been representing liquor licensed establishments in Arizona for over 15 years."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Tourism plays an important role in our local economy and liquor licensed establishments (the sale of alcohol) is a very important aspect of tourism. Therefore, if the City of Phoenix continues to lead the State of Arizona by approving quality and diverse businesses (restaurants, bar, microbreweries, distilleries, hotels, resorts, golf courses, special events, convenience / grocery stores & gas stations) similar to this proposed liquor licensed business, all businesses will prosper."

Staff Recommendation
Staff recommends approval of this application noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

Attachments
Liquor License Data - Mr. Moto Pizza
Liquor License Map - Mr. Moto Pizza

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: MR. MOTO PIZZA

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	2	0
Beer and Wine Bar	7	3	1
Liquor Store	9	3	1
Beer and Wine Store	10	5	2
Hotel	11	1	0
Restaurant	12	22	10

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	51.64	63.16
Violent Crimes	9.21	4	7

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

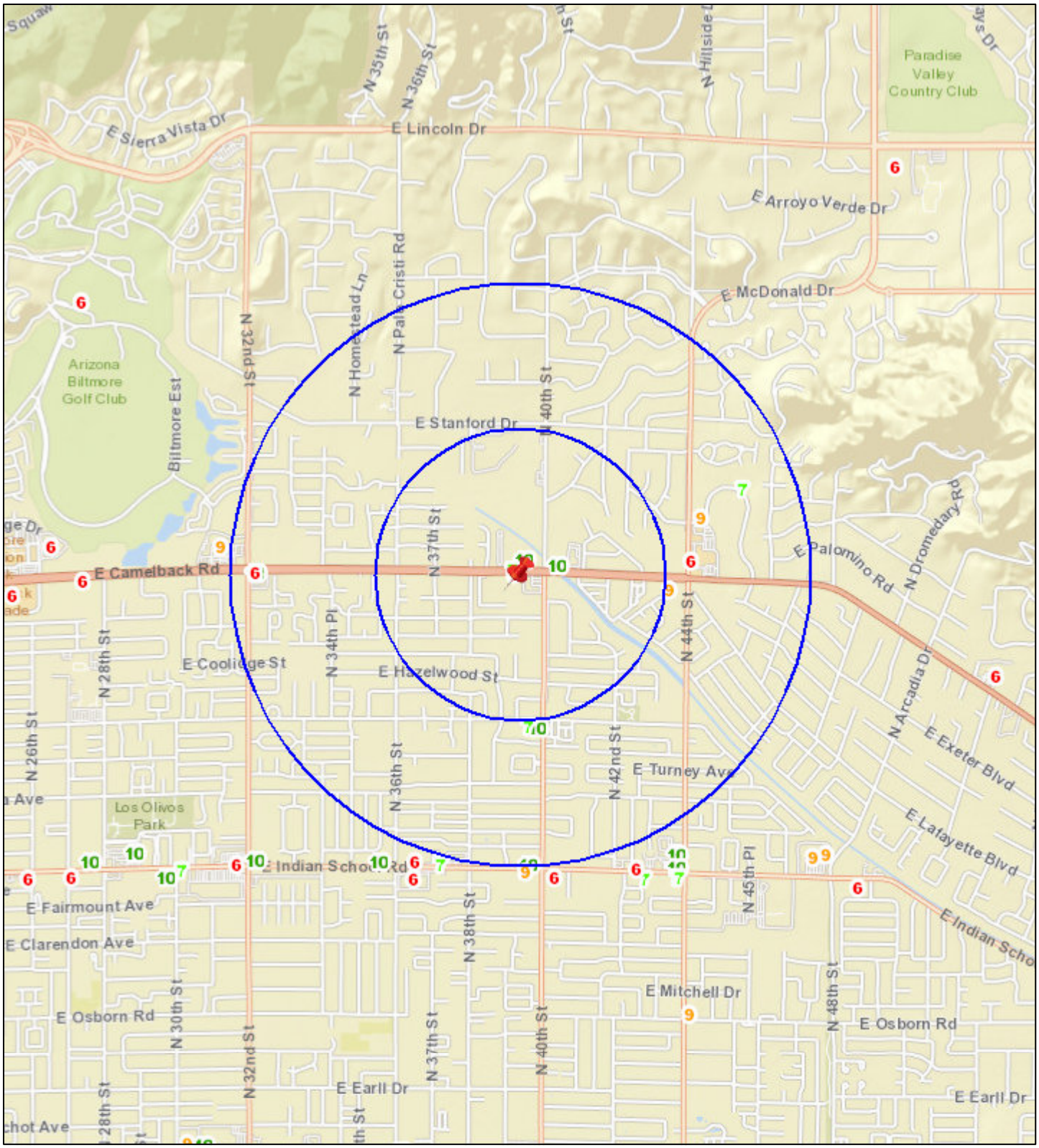
Description	Average	1/2 Mile Average
Parcels w/Violations	56	12
Total Violations	97	24

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1051033	1364	100 %	22 %	0 %
1079003	1457	31 %	6 %	6 %
1081001	1849	78 %	1 %	7 %
1082001	717	56 %	23 %	6 %
1083011	1100	89 %	14 %	0 %
1083012	1221	72 %	5 %	1 %
1083013	982	75 %	18 %	1 %
1083022	1824	50 %	13 %	4 %
Average		61 %	13 %	19 %

Liquor License Map: MR. MOTO PIZZA

3945 E CAMELBACK RD



N

Date: 1/25/2022

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 23

Liquor License - Food City #107

Request for a liquor license. Arizona State License Application 09070269.

Summary

Applicant
Michael Basha, Agent

License Type
Series 9 - Liquor Store

Location
7227 S. Central Ave.
Zoning Classification: C-2
Council District: 7

This request is for an ownership transfer of a liquor license for a grocery store. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 9, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"Raley's Arizona, LLC is a community supermarket that operates over 126 supermarkets in two states. These supermarkets typically include the sale of packaged alcoholic beverages. Its employees and managers are trained to comply with all state and municipal liquor laws. Further, Raley's Arizona, LLC is purchasing the existing operations of Bashas' Inc., including its assets and employees, all of whom are experienced with the lawful sale of alcohol within the State of Arizona and the City of Phoenix."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This supermarket provides a one-stop source for the community's grocery needs. This is merely a change in ownership of the existing supermarket that currently exist at this location. Issuance of a liquor license will allow members of the community to safely and responsibly purchase packaged alcoholic beverages from their neighborhood supermarket."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Food City #107
Liquor License Map - Food City #107

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: FOOD CITY #107

Liquor License

Description	Series	1 Mile	1/2 Mile
Beer and Wine Bar	7	2	1
Liquor Store	9	5	3
Beer and Wine Store	10	9	2
Restaurant	12	8	5

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	113.98	137.89
Violent Crimes	9.21	22.16	26.32

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

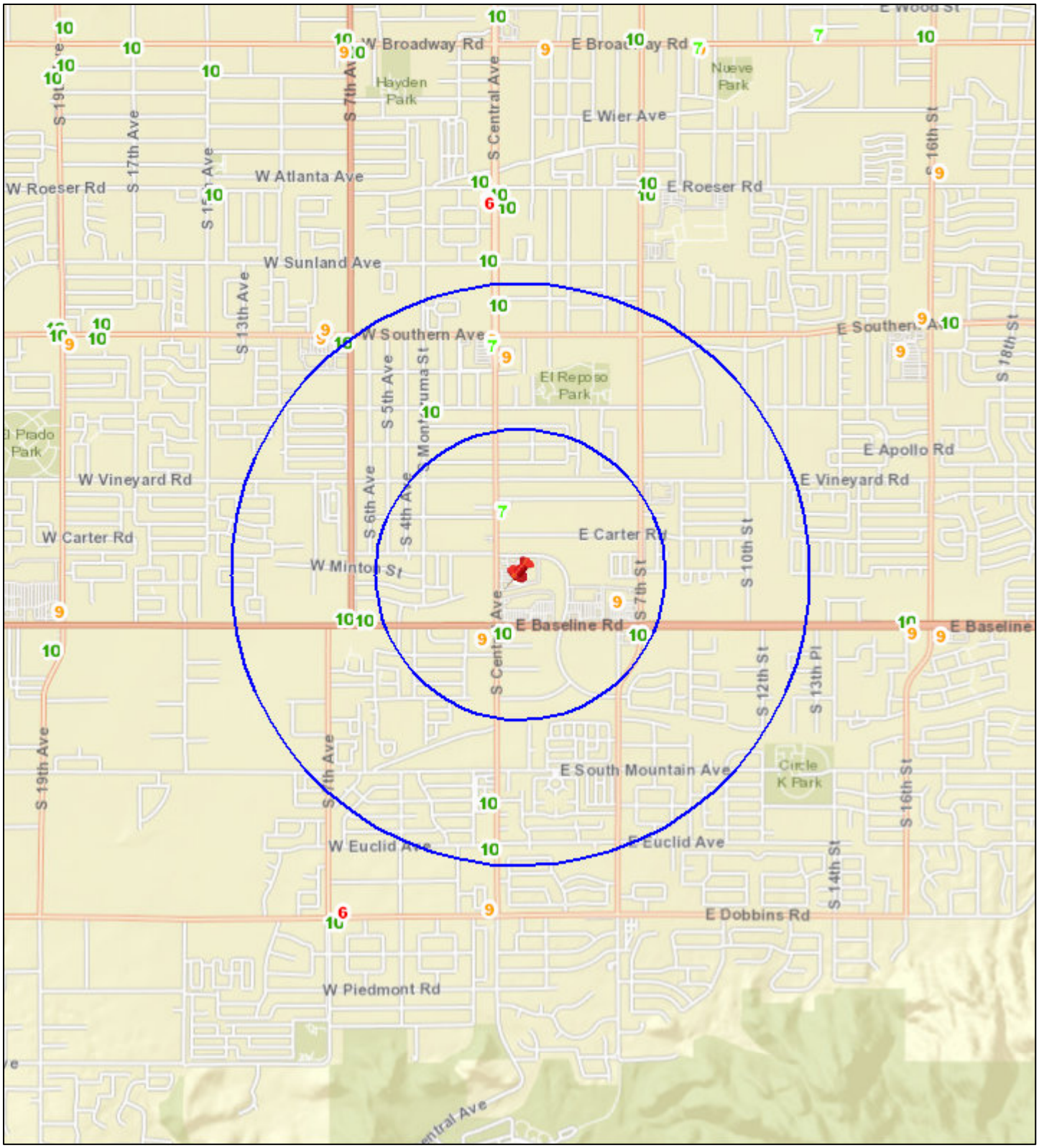
Description	Average	1/2 Mile Average
Parcels w/Violations	57	63
Total Violations	97	116

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1164003	2842	74 %	0 %	15 %
1165001	1778	66 %	2 %	27 %
1165002	1487	84 %	7 %	31 %
1165003	1504	65 %	6 %	15 %
1167023	2617	48 %	12 %	28 %
1167031	2524	69 %	15 %	26 %
Average		61 %	13 %	19 %

Liquor License Map: FOOD CITY #107

7227 S CENTRAL AVE



N

Date: 12/16/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 24

Liquor License - Food City #132

Request for a liquor license. Arizona State License Application 09070117.

Summary

Applicant
Michael Basha, Agent

License Type
Series 9 - Liquor Store

Location
2709 W. Van Buren St.
Zoning Classification: C-3
Council District: 7

This request is for an ownership transfer of a liquor license for a grocery store. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 9, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"Raley's Arizona, LLC is a community supermarket that operates over 126 supermarkets in two states. These supermarkets typically include the sale of packaged alcoholic beverages. Its employees and managers are trained to comply with all state and municipal liquor laws. Further, Raley's Arizona, LLC is purchasing the existing operations of Bashas' Inc., including its assets and employees, all of whom are experienced with the lawful sale of alcohol within the State of Arizona and the City of Phoenix."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This supermarket provides a one-stop source for the community's grocery needs. This is merely a change in ownership of the existing supermarket that currently exists at this location. Issuance of a liquor license will allow members of the community to safely and responsibly purchase packaged alcoholic beverages from their neighborhood supermarket."

Staff Recommendation
Staff recommends approval of this application noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

Attachments
Liquor License Data - Food City #132
Liquor License Map - Food City #132

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: FOOD CITY #132

Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	9	0
Bar	6	1	0
Liquor Store	9	3	2
Beer and Wine Store	10	8	2
Restaurant	12	2	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	111.41	157.53
Violent Crimes	9.21	28.84	43.63

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

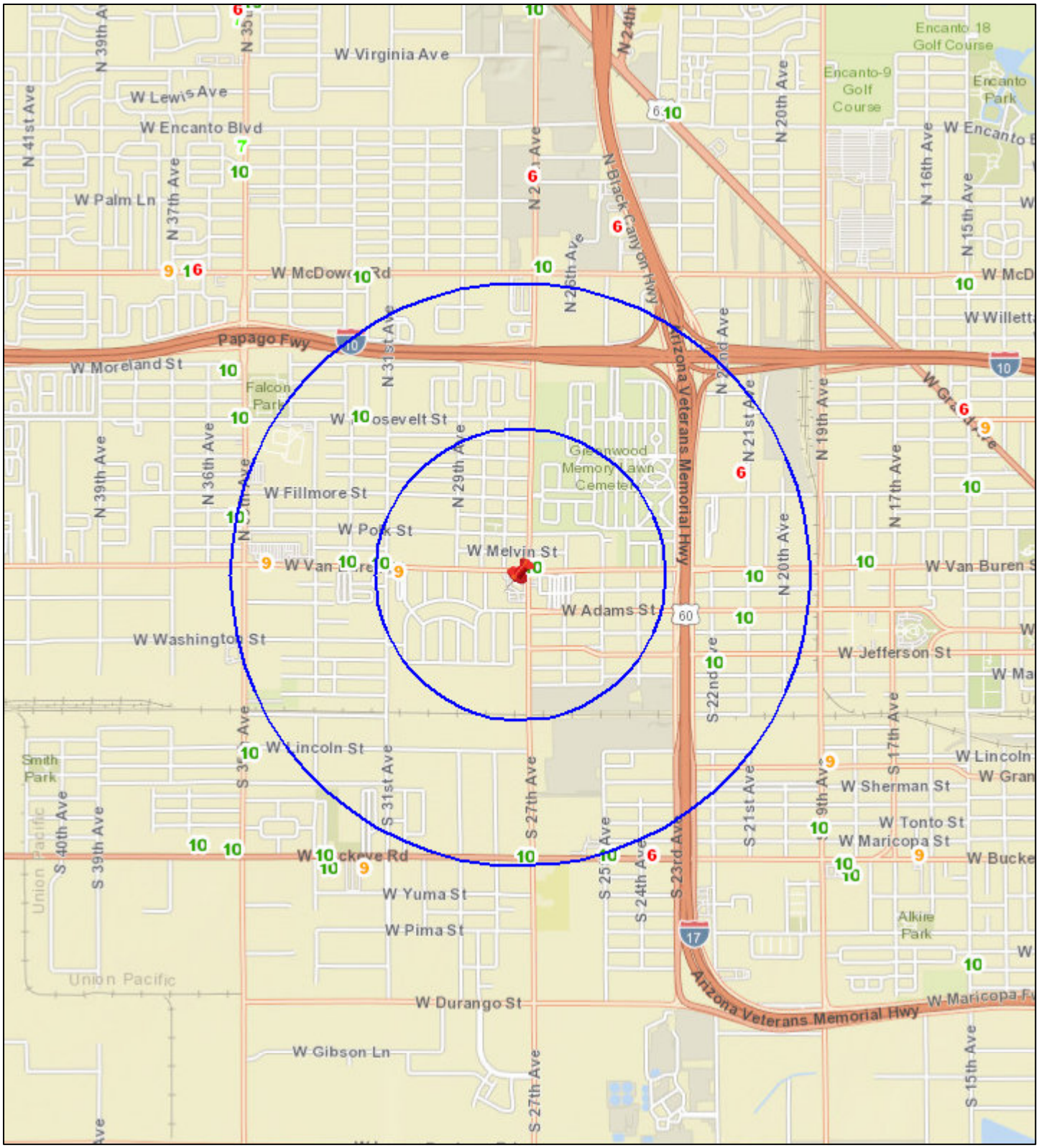
Description	Average	1/2 Mile Average
Parcels w/Violations	56	86
Total Violations	96	153

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1127001	1882	54 %	0 %	25 %
1127002	1540	50 %	25 %	56 %
1127003	2056	26 %	21 %	34 %
1144011	1953	47 %	11 %	38 %
1145001	1332	59 %	11 %	24 %
1145002	1343	38 %	29 %	52 %
1145003	1018	42 %	15 %	57 %
1168001	1178	33 %	22 %	40 %
Average		61 %	13 %	19 %

Liquor License Map: FOOD CITY #132

2709 W VAN BUREN ST



N

Date: 12/15/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 25

Liquor License - Food City #140

Request for a liquor license. Arizona State License Application 09070372.

Summary

Applicant
Michael Basha, Agent

License Type
Series 9 - Liquor Store

Location
6544 W. Thomas Road
Zoning Classification: PSC
Council District: 7

This request is for an ownership transfer of a liquor license for a grocery store. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 9, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"Raley's Arizona, LLC is a community supermarket that operates over 126 supermarkets in two states. These supermarkets typically include the sale of packaged alcoholic beverages. Its employees and managers are trained to comply with all state and municipal liquor laws. Further, Raley's Arizona, LLC is purchasing the existing operations of Bashas' Inc., including its assets and employees, all of whom are experienced with the lawful sale of alcohol within the State of Arizona and the City of Phoenix."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This supermarket provides a one-stop source for the community's grocery needs. This is merely a change in ownership of the existing supermarket that currently exists at this location. Issuance of a liquor license will allow members of the community to safely and responsibly purchase packaged alcoholic beverages from their neighborhood supermarket."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Food City #140
Liquor License Map - Food City #140

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: FOOD CITY #140

Liquor License

Description	Series	1 Mile	1/2 Mile
Government	5	1	1
Beer and Wine Bar	7	1	0
Liquor Store	9	4	1
Beer and Wine Store	10	10	3
Restaurant	12	7	2

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	128.18	139.27
Violent Crimes	9.21	30.97	37.47

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

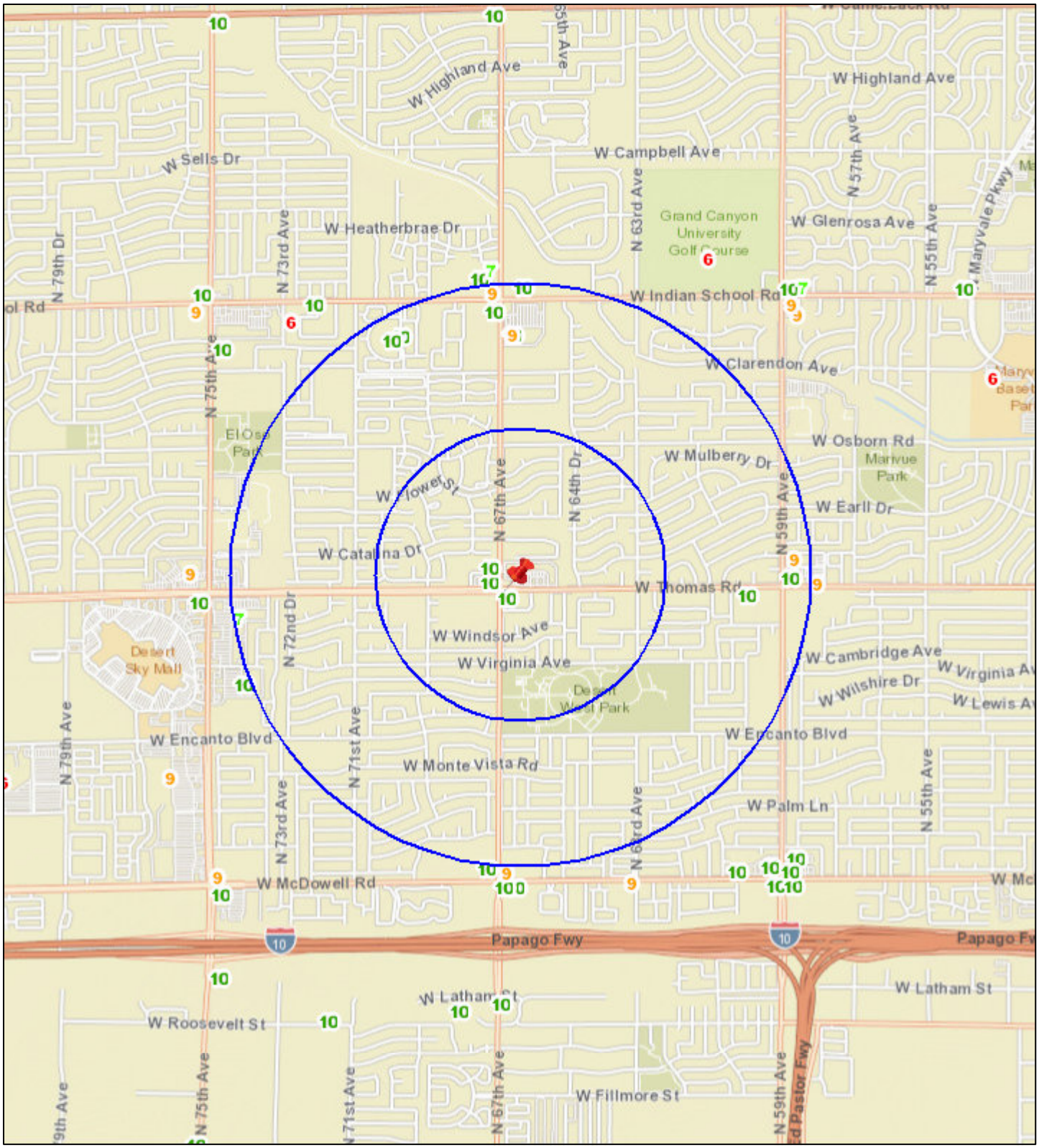
Description	Average	1/2 Mile Average
Parcels w/Violations	57	116
Total Violations	98	212

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1097012	1978	48 %	28 %	49 %
1097013	2163	56 %	0 %	22 %
1098011	2356	56 %	15 %	23 %
1098012	1791	69 %	12 %	53 %
1098022	1443	66 %	8 %	42 %
1098023	952	82 %	14 %	50 %
1125031	2179	75 %	21 %	19 %
1125041	1741	90 %	17 %	25 %
1125042	1274	0 %	24 %	61 %
Average		61 %	13 %	19 %

Liquor License Map: FOOD CITY #140

6544 W THOMAS RD



N

Date: 1/13/2022

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 26

Liquor License - Food City #154

Request for a liquor license. Arizona State License Application 09070647.

Summary

Applicant
Michael Basha, Agent

License Type
Series 9 - Liquor Store

Location
9020 W. Thomas Road
Zoning Classification: C-2
Council District: 7

This request is for an ownership transfer of a liquor license for a grocery store. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 9, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"Raley's Arizona, LLC is a community supermarket that operates over 126 supermarkets in two states. These supermarkets typically include the sale of packaged alcoholic beverages. Its employees and managers are trained to comply with all state and municipal liquor laws. Further, Raley's Arizona, LLC is purchasing the existing operations of Bashas' Inc., including its assets and employees, all of whom are experienced with the lawful sale of alcohol within the State of Arizona and the City of Phoenix."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This supermarket provides a one-stop source for the community's grocery needs. This is merely a change in ownership of the existing supermarket that currently exists at this location. Issuance of a liquor license will allow members of the community to safely and responsibly purchase packaged alcoholic beverages from their neighborhood supermarket."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Food City #154
Liquor License Map - Food City #154

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: FOOD CITY #154

Liquor License

Description	Series	1 Mile	1/2 Mile
Liquor Store	9	3	2
Beer and Wine Store	10	3	0
Restaurant	12	3	3

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	78.31	92.35
Violent Crimes	9.21	17.64	26.22

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

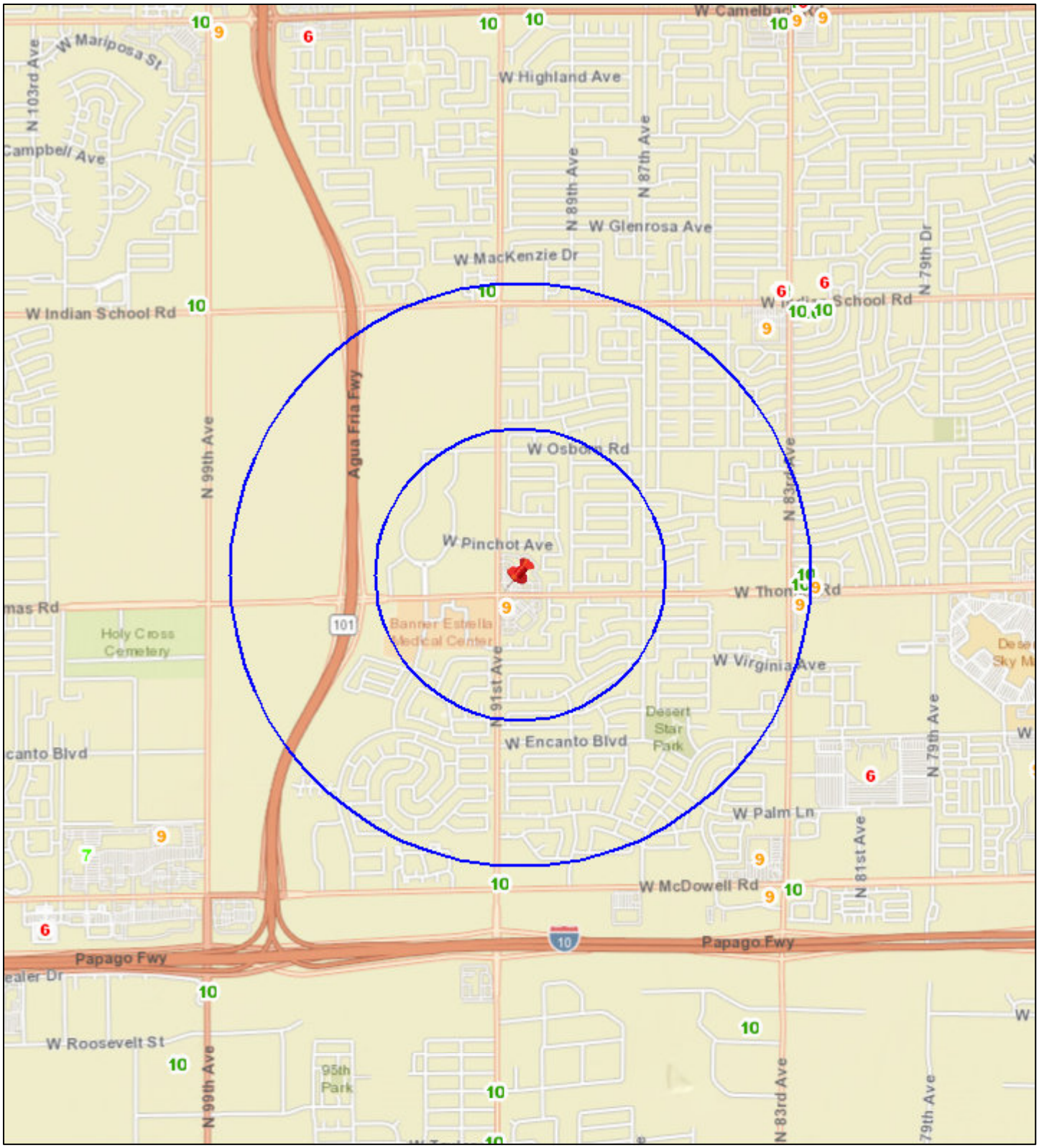
Description	Average	1/2 Mile Average
Parcels w/Violations	56	145
Total Violations	96	226

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
0820091	3028	76 %	3 %	28 %
0820092	2444	59 %	9 %	25 %
0820102	2628	79 %	9 %	16 %
0820161	2648	65 %	11 %	23 %
0820172	1746	87 %	18 %	21 %
0820181	2918	82 %	0 %	16 %
0820182	1602	80 %	30 %	1 %
Average		61 %	13 %	19 %

Liquor License Map: FOOD CITY #154

9020 W THOMAS RD



N

Date: 12/17/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 27

Liquor License - Food City #162

Request for a liquor license. Arizona State License Application 09070618.

Summary

Applicant
Michael Basha, Agent

License Type
Series 9 - Liquor Store

Location
845 W. Southern Ave.
Zoning Classification: C-2
Council District: 7

This request is for an ownership transfer of a liquor license for a grocery store. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 9, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"Raley's Arizona, LLC is a community supermarket that operates over 126 supermarkets in two states. These supermarkets typically include the sale of packaged alcoholic beverages. Its employees and managers are trained to comply with all state and municipal liquor laws. Further, Raley's Arizona, LLC is purchasing the existing operations of +' Inc., including its assets and employees, all of whom are experienced with the lawful sale of alcohol within the State of Arizona and the City of Phoenix."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This supermarket provides a one-stop source for the community's grocery needs. This is merely a change in ownership of the existing supermarket that currently exist at this location. Issuance of a liquor license will allow members of the community to safely and responsibly purchase packaged alcoholic beverages from their neighborhood supermarket."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Food City #162
Liquor License Map - Food City #162

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: FOOD CITY #162

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	1	0
Beer and Wine Bar	7	2	0
Liquor Store	9	8	3
Beer and Wine Store	10	17	2
Restaurant	12	6	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	156.23	166.13
Violent Crimes	9.21	30.97	36.73

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

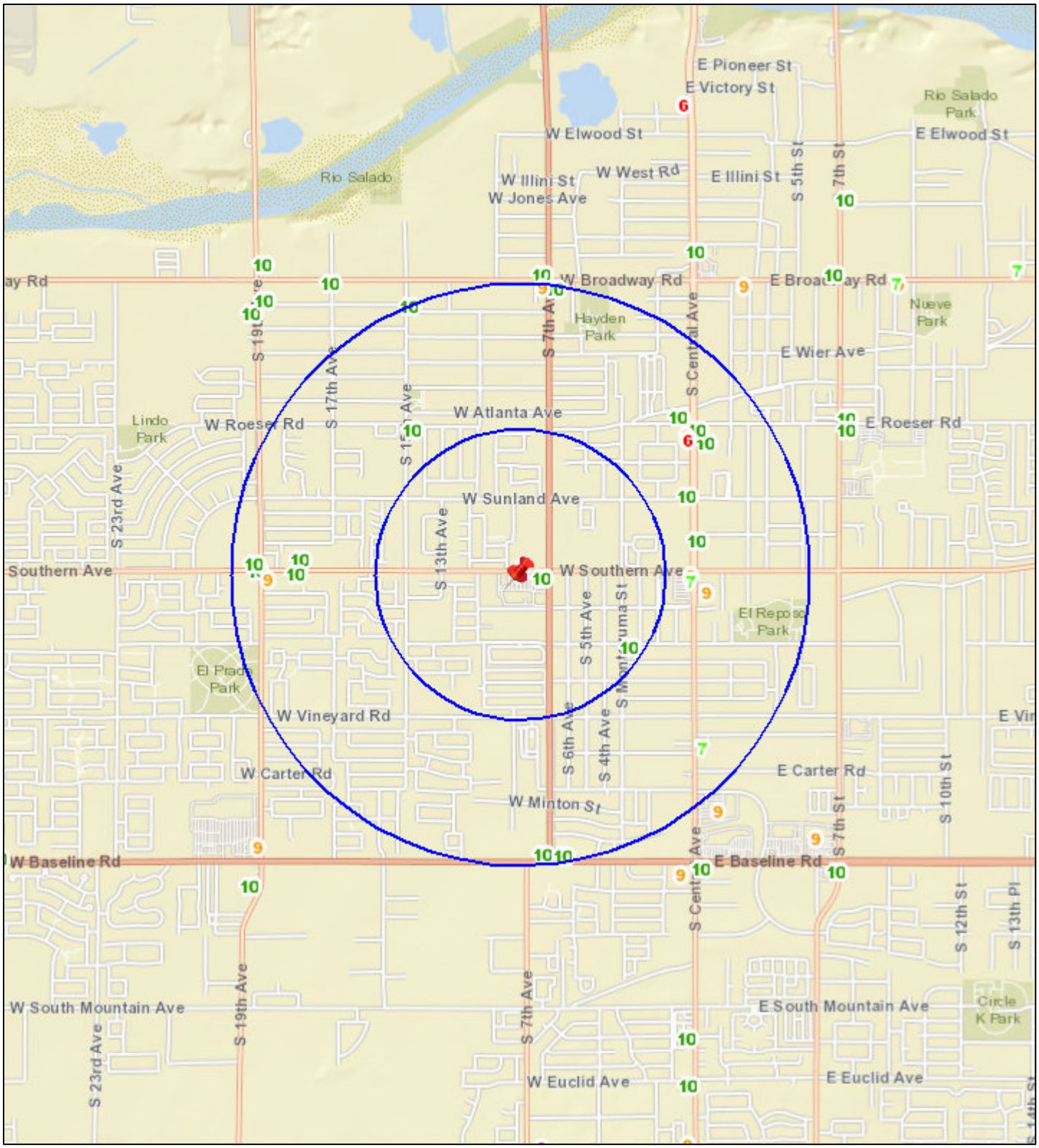
Description	Average	1/2 Mile Average
Parcels w/Violations	56	139
Total Violations	96	200

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1157001	2689	65 %	7 %	23 %
1157003	2039	51 %	20 %	33 %
1158022	1536	47 %	17 %	24 %
1165001	1778	66 %	2 %	27 %
1165002	1487	84 %	7 %	31 %
1166021	4695	66 %	10 %	35 %
1166022	3218	73 %	6 %	10 %
Average		61 %	13 %	19 %

Liquor License Map: FOOD CITY #162

845 W SOUTHERN AVE



N

Date: 12/16/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 28

Liquor License - Special Event - Phoenix Pride Incorporated

Request for a Series 15 - Special Event liquor license for the temporary sale of all liquors.

Summary

Applicant
Ryan Starzyk

Location
115 N. 6th St.
Council District: 8

Function
Festival

Date(s) - Time(s) / Expected Attendance
April 30, 2022 - 10 a.m. to 6 p.m. / 10,000 attendees
May 1, 2022 - 10 a.m. to 6 p.m. / 10,000 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 29

Liquor License - Food City #12

Request for a liquor license. Arizona State License Application 09070034.

Summary

Applicant
Michael Basha, Agent

License Type
Series 9 - Liquor Store

Location
2124 E. McDowell Road
Zoning Classification: C-2 and PSC
Council District: 8

This request is for an ownership transfer of a liquor license for a grocery store. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 9, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"Raley's Arizona, LLC is a community supermarket that operates over 126 supermarkets in two states. These supermarkets typically include the sale of packaged alcoholic beverages. Its employees and managers are trained to comply with all state and municipal liquor laws. Further, Raley's Arizona, LLC is purchasing the existing operations of Bashas' Inc., including its assets and employees, all of whom are experienced with the lawful sale of alcohol within the State of Arizona and the City of Phoenix."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This supermarket provides a one-stop source for the community's grocery needs. This is merely a change in ownership of the existing supermarket that currently exists at this location. Issuance of a liquor license will allow members of the community to safely and responsibly purchase packaged alcoholic beverages from their neighborhood supermarket."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Food City #12
Liquor License Map - Food City #12

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: FOOD CITY #12

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	0
Bar	6	6	3
Beer and Wine Bar	7	2	1
Liquor Store	9	6	2
Beer and Wine Store	10	11	3
Restaurant	12	12	6
Craft Distiller	18	1	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	117.56	99.57
Violent Crimes	9.21	36.41	22.08

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

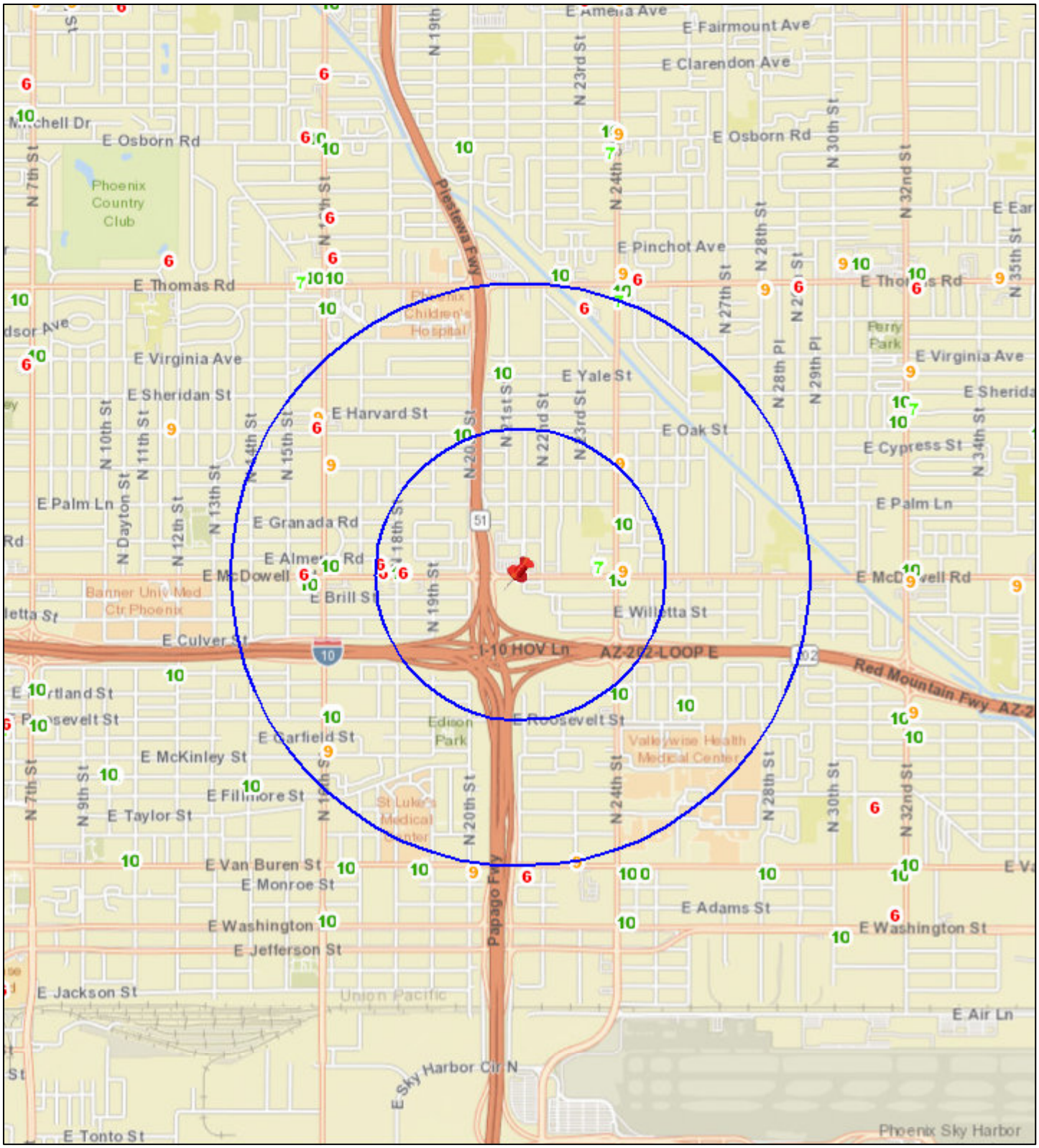
Description	Average	1/2 Mile Average
Parcels w/Violations	56	74
Total Violations	96	131

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1115011	2020	44 %	16 %	43 %
1116011	1492	55 %	13 %	39 %
1116012	1200	65 %	11 %	40 %
1116022	2607	54 %	9 %	61 %
1133001	2490	40 %	12 %	49 %
1133003	901	22 %	23 %	72 %
1135011	2332	25 %	12 %	55 %
1135012	1738	41 %	26 %	36 %
Average		61 %	13 %	19 %

Liquor License Map: FOOD CITY #12

2124 E MCDOWELL RD



N

Date: 12/16/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 30

Liquor License - Food City #143

Request for a liquor license. Arizona State License Application 09070616.

Summary

Applicant
Michael Basha, Agent

License Type
Series 9 - Liquor Store

Location
4430 E. McDowell Road
Zoning Classification: PSC
Council District: 8

This request is for an ownership transfer of a liquor license for a grocery store. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb.9, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"Raley's Arizona, LLC is a community supermarket that operates over 126 supermarkets in two states. These supermarkets typically include the sale of packaged alcoholic beverages. Its employees and managers are trained to comply with all state and municipal liquor laws. Further, Raley's Arizona, LLC is purchasing the existing operations of Bashas' Inc., including its assets and employees, all of whom are experienced with the lawful sale of alcohol within the State of Arizona and the City of Phoenix."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This supermarket provides a one-stop source for the community's grocery needs. This is merely a change in ownership of the existing supermarket that currently exists at this locations. Issuance of a liquor license will allow members of the community to safely and responsibly purchase packaged alcoholic beverages from their neighborhood supermarket."

Staff Recommendation
Staff recommends approval of this application noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

Attachments
Liquor License Data - Food City #143
Liquor License Map - Food City #143

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: FOOD CITY #143

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	6	3
Beer and Wine Bar	7	1	0
Liquor Store	9	6	3
Beer and Wine Store	10	10	3
Hotel	11	4	2
Restaurant	12	5	0
Club	14	1	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	139.14	173.56
Violent Crimes	9.21	27.68	40.55

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

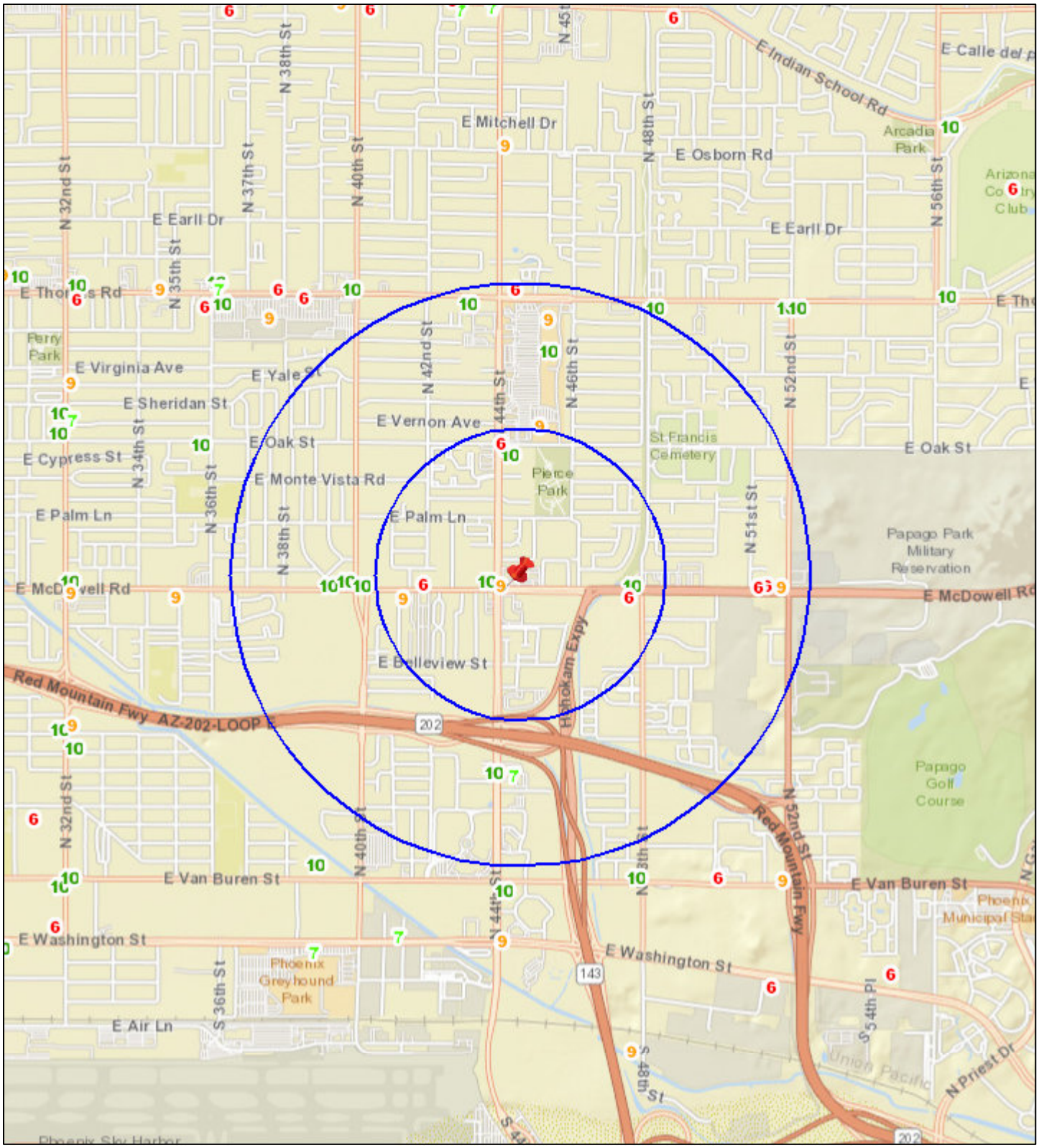
Description	Average	1/2 Mile Average
Parcels w/Violations	57	138
Total Violations	97	233

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1112013	2473	34 %	14 %	37 %
1112021	1913	6 %	18 %	38 %
1113001	960	42 %	9 %	7 %
1113002	930	52 %	7 %	20 %
1113003	1474	15 %	13 %	39 %
1113004	703	87 %	31 %	15 %
1113005	886	21 %	23 %	5 %
1137001	634	0 %	38 %	26 %
1137003	1101	31 %	18 %	11 %
1137004	2372	7 %	27 %	43 %
1137005	1280	14 %	32 %	52 %
Average		61 %	13 %	19 %

Liquor License Map: FOOD CITY #143

4430 E MCDOWELL RD



N

Date: 1/14/2022

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 31

Liquor License - Food City #148

Request for a liquor license. Arizona State License Application 09070632.

Summary

Applicant
Michael Basha, Agent

License Type
Series 9 - Liquor Store

Location
3205 E. McDowell Road, Ste. 28
Zoning Classification: C-2
Council District: 8

This request is for an ownership transfer of a liquor license for a grocery store. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 9, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"Raley's Arizona, LLC is a community supermarket that operates over 126 supermarkets in two states. These supermarkets typically include the sale of packaged alcoholic beverages. its employees and managers are trained to comply with all state and municipal liquor laws. Further, Raley's Arizona, LLC is purchasing the existing operations of Bashas' Inc., including its assets and employees, all of whom are experienced with the lawful sale of alcohol within the State of Arizona and the City of Phoenix."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This supermarket provides a one-stop source for the community's grocery needs. This is merely a change in the ownership of the existing supermarket that currently exists at this location. Issuance of a liquor license will allow members of the community to safely and responsibly purchase packaged alcoholic beverages from their neighborhood supermarket."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Food City #148
Liquor License Map - Food City #148

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: FOOD CITY #148

Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	1	1
Bar	6	1	0
Beer and Wine Bar	7	1	0
Liquor Store	9	5	3
Beer and Wine Store	10	11	2
Restaurant	12	4	2

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	138.42	164.96
Violent Crimes	9.21	40.36	42.67

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

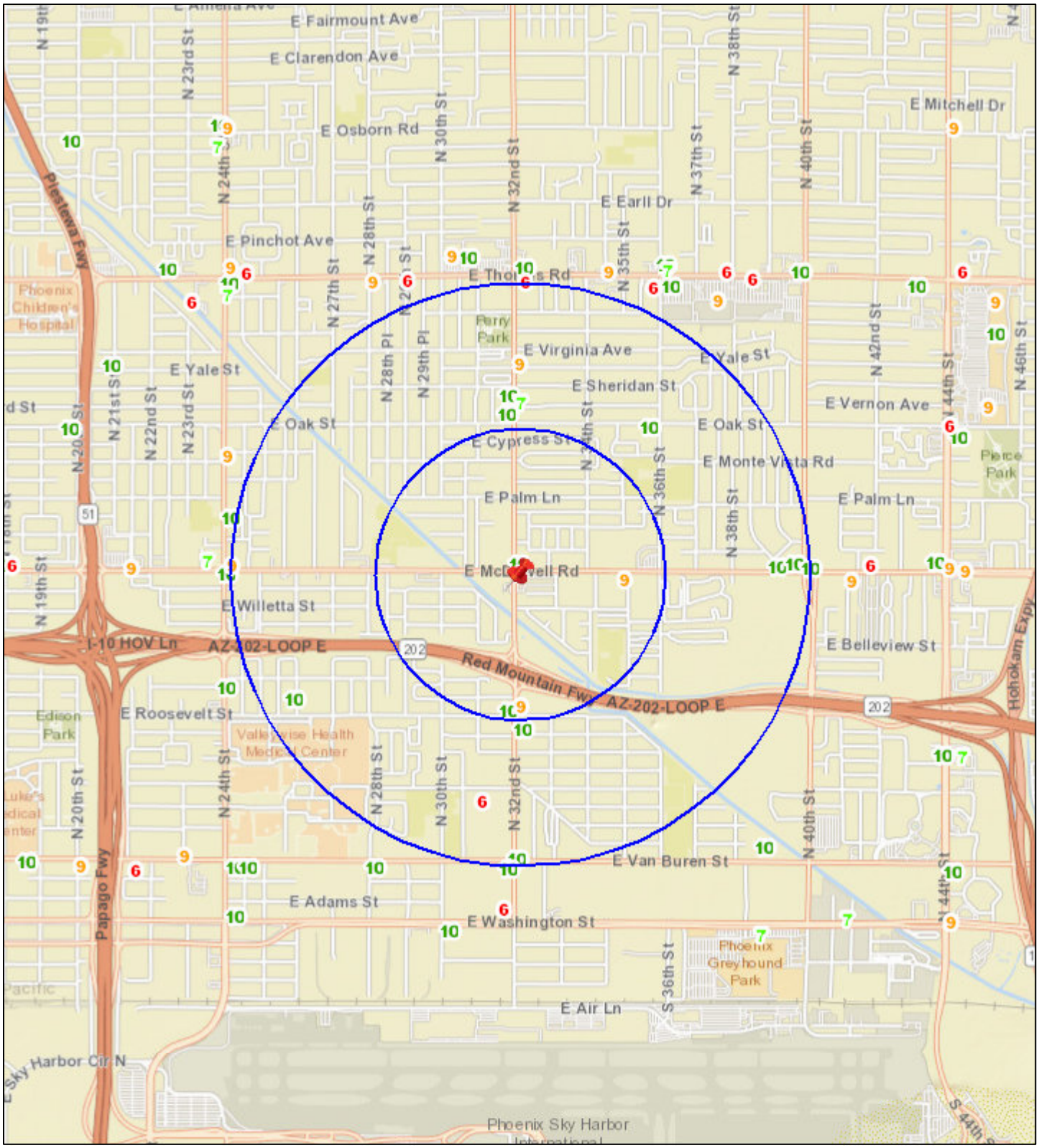
Description	Average	1/2 Mile Average
Parcels w/Violations	56	152
Total Violations	96	280

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1114012	2000	67 %	23 %	29 %
1114022	2120	45 %	17 %	31 %
1115011	2020	44 %	16 %	43 %
1115023	1245	32 %	14 %	50 %
1115024	1708	40 %	25 %	53 %
1135011	2332	25 %	12 %	55 %
1135012	1738	41 %	26 %	36 %
1135021	2383	35 %	21 %	39 %
1136011	1911	16 %	21 %	11 %
1136012	1471	36 %	14 %	49 %
1136021	1061	49 %	11 %	53 %
Average		61 %	13 %	19 %

Liquor License Map: FOOD CITY #148

3205 E MCDOWELL RD



N

Date: 12/15/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 32

Liquor License - Food City #149

Request for a liquor license. Arizona State License Application 09070631.

Summary

Applicant
Michael Basha, Agent

License Type
Series 9 - Liquor Store

Location
6025 N. 27th Ave.
Zoning Classification: C-1
Council District: 8

This request is for an ownership transfer of a liquor license for a grocery store. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 9, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"Raley's Arizona, LLC is a community supermarket that operates over 126 supermarkets in two states. These supermarkets typically include the sale of the packaged alcoholic beverages. Its employees and managers are trained to comply with all state and municipal liquor laws. Further, Raley's Arizona, LLC is purchasing the existing operations of Bashas' Inc., including its assets and employees, all of whom are experienced with the lawful sale of alcohol within the State of Arizona and the City of Phoenix."."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This supermarket provides a one-stop source for the community's grocery needs. This is merely a change in ownership of the existing supermarket that currently exists at this location. Issuance of a liquor license will allow members of the community to safely and responsibly purchase packaged alcoholic beverages from their neighborhood supermarket."

Staff Recommendation
Staff recommends approval of this application noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

Attachments
Liquor License Data - Food City #149
Liquor License Map - Food City #149

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: FOOD CITY #149

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	4	2
Liquor Store	9	6	3
Beer and Wine Store	10	13	6
Hotel	11	1	0
Restaurant	12	8	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	192.30	208.06
Violent Crimes	9.21	44.82	63.37

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

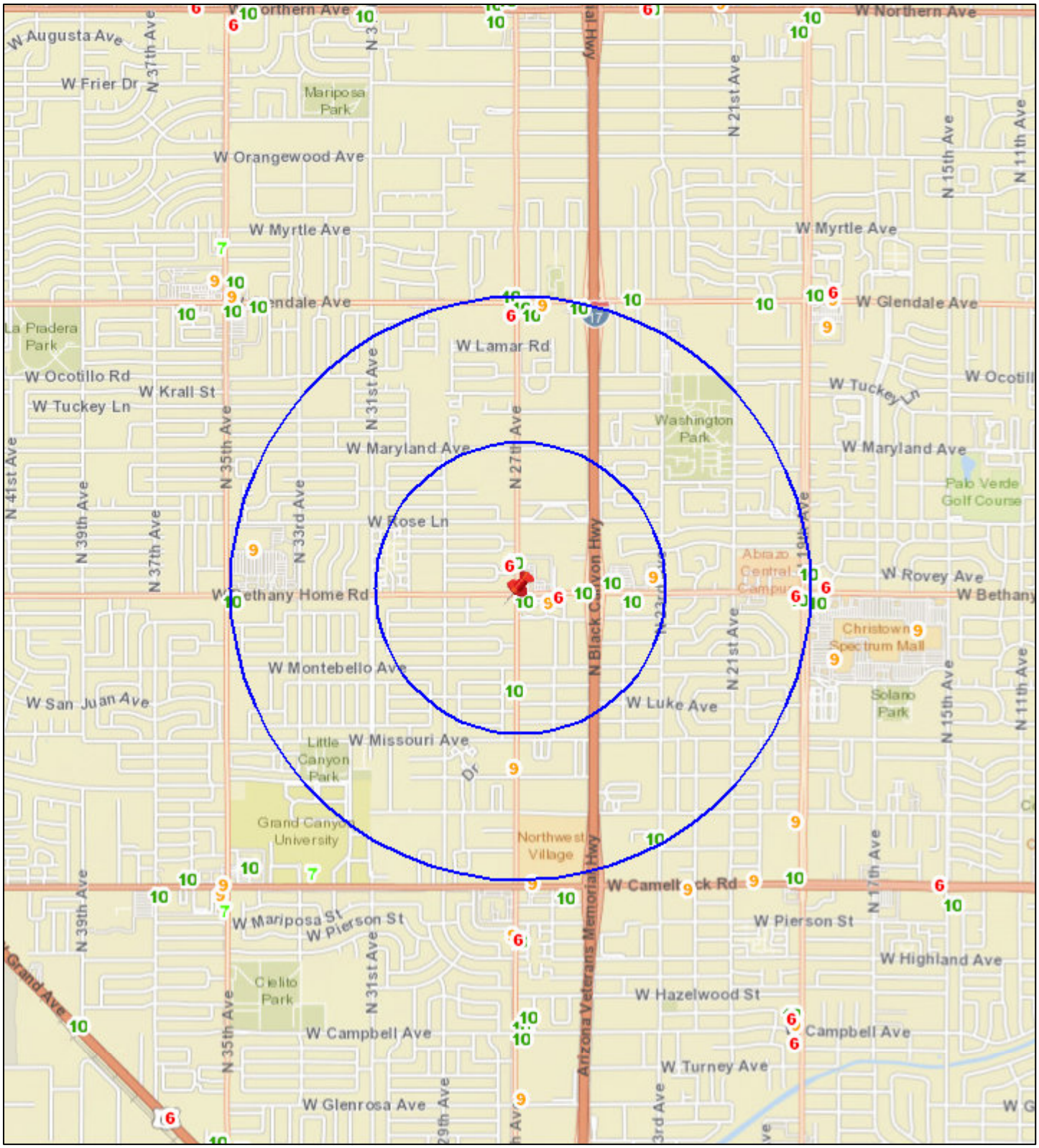
Description	Average	1/2 Mile Average
Parcels w/Violations	56	219
Total Violations	96	334

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1068012	1670	5 %	28 %	55 %
1068013	1083	30 %	20 %	33 %
1068022	1105	85 %	21 %	1 %
1069001	1043	81 %	11 %	4 %
1069002	2629	71 %	5 %	22 %
1072022	2085	62 %	5 %	22 %
1073001	2203	79 %	3 %	6 %
1073004	2614	23 %	5 %	31 %
Average		61 %	13 %	19 %

Liquor License Map: FOOD CITY #149

6025 N 27TH AVE



N

Date: 12/14/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 33

Liquor License - Food City #152

Request for a liquor license. Arizona State License Application 09070643.

Summary

Applicant
Michael Basha, Agent

License Type
Series 9 - Liquor Store

Location
4727 E. Southern Ave.
Zoning Classification: C-2
Council District: 8

This request is for an ownership transfer of a liquor license for a grocery store. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 9, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"Raley's Arizona, LLC is a community supermarket that operates over 126 supermarkets in two states. These supermarkets typically include the sale of packaged alcoholic beverages. Its employees and managers are trained to comply with all state and municipal liquor laws. Further, Raley's Arizona, LLC is purchasing the existing operations of Bashas' Inc., including its assets and employees, all of whom are experienced with the lawful sale of alcohol within the State of Arizona and the City of Phoenix."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This supermarket provides a one-stop source for the community's grocery needs. This is merely a change in ownership of the existing supermarket that currently exists at this locations. Issuance of a liquor license will allow members of the community to safely and responsibly purchase packaged alcoholic beverages from their neighborhood supermarket."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Food City #152
Liquor License Map - Food City #152

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: FOOD CITY #152

Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	1	1
Bar	6	1	0
Beer and Wine Bar	7	2	0
Liquor Store	9	4	2
Beer and Wine Store	10	7	4
Hotel	11	1	0
Restaurant	12	5	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	36.09	42.99
Violent Crimes	9.21	8.14	9.97

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

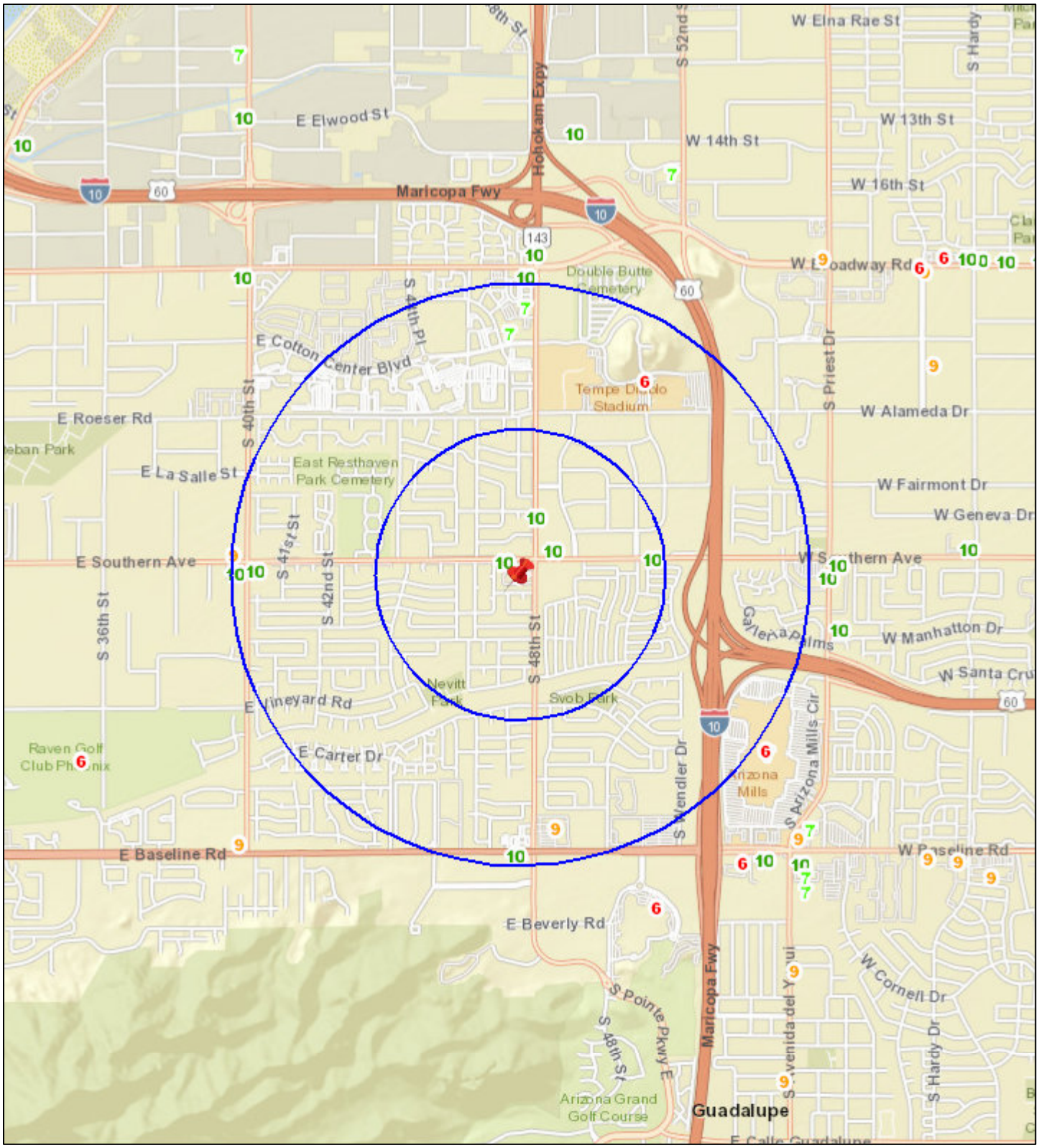
Description	Average	1/2 Mile Average
Parcels w/Violations	56	126
Total Violations	96	170

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1162021	1187	94 %	0 %	39 %
1162022	1836	62 %	0 %	20 %
1162023	1215	57 %	6 %	37 %
1162041	1426	79 %	6 %	24 %
1162042	1819	57 %	0 %	32 %
1162043	535	59 %	24 %	8 %
1162052	1024	85 %	4 %	26 %
3197031	1479	51 %	11 %	13 %
3197032	602	81 %	30 %	11 %
3197033	2085	30 %	14 %	34 %
3197041	1777	42 %	9 %	20 %
Average		61 %	13 %	19 %

Liquor License Map: FOOD CITY #152

4727 E SOUTHERN AVE



N

Date: 12/14/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 34

Liquor License - Milk & Honey

Request for a liquor license. Arizona State License Application 174906.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 10 - Beer and Wine Store

Location
333 E. Roosevelt St., Ste. 114
Zoning Classification: DTC-West Evans Churchill
Council District: 8

This request is for a new liquor license for a convenience store that does not sell gas. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow liquor retail sales. This business is currently under construction with plans to open in April 2022.

The 60-day limit for processing this application is Feb.12, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and includes liquor license violations on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

Milk & Honey (Series 10)
115 W. 6th St., Tempe
Calls for police service: N/A - not in Phoenix
Liquor license violations: In June 2018, a fine of $3,000 was paid for failure to request ID from an underage buyer and for selling, giving or furnishing an underage person with alcohol. In December 2019, a fine of $6,000 was paid for failure to request ID from an underage buyer and for selling, giving or furnishing an underage person with alcohol.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"We make sure our employees attend the Title 4 liquor law training courses."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We would like to offer customers a one stop convenience store in the area."

Staff Recommendation
Staff recommends approval of this application noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

Attachments
Liquor License Data - Milk & Honey
Liquor License Map - Milk & Honey

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: MILK & HONEY

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	3	1
Wholesaler	4	1	0
Government	5	8	5
Bar	6	45	13
Beer and Wine Bar	7	16	7
Liquor Store	9	4	0
Beer and Wine Store	10	11	4
Hotel	11	8	4
Restaurant	12	101	41
Club	14	2	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	169.93	211.99
Violent Crimes	9.21	42.27	50.63

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

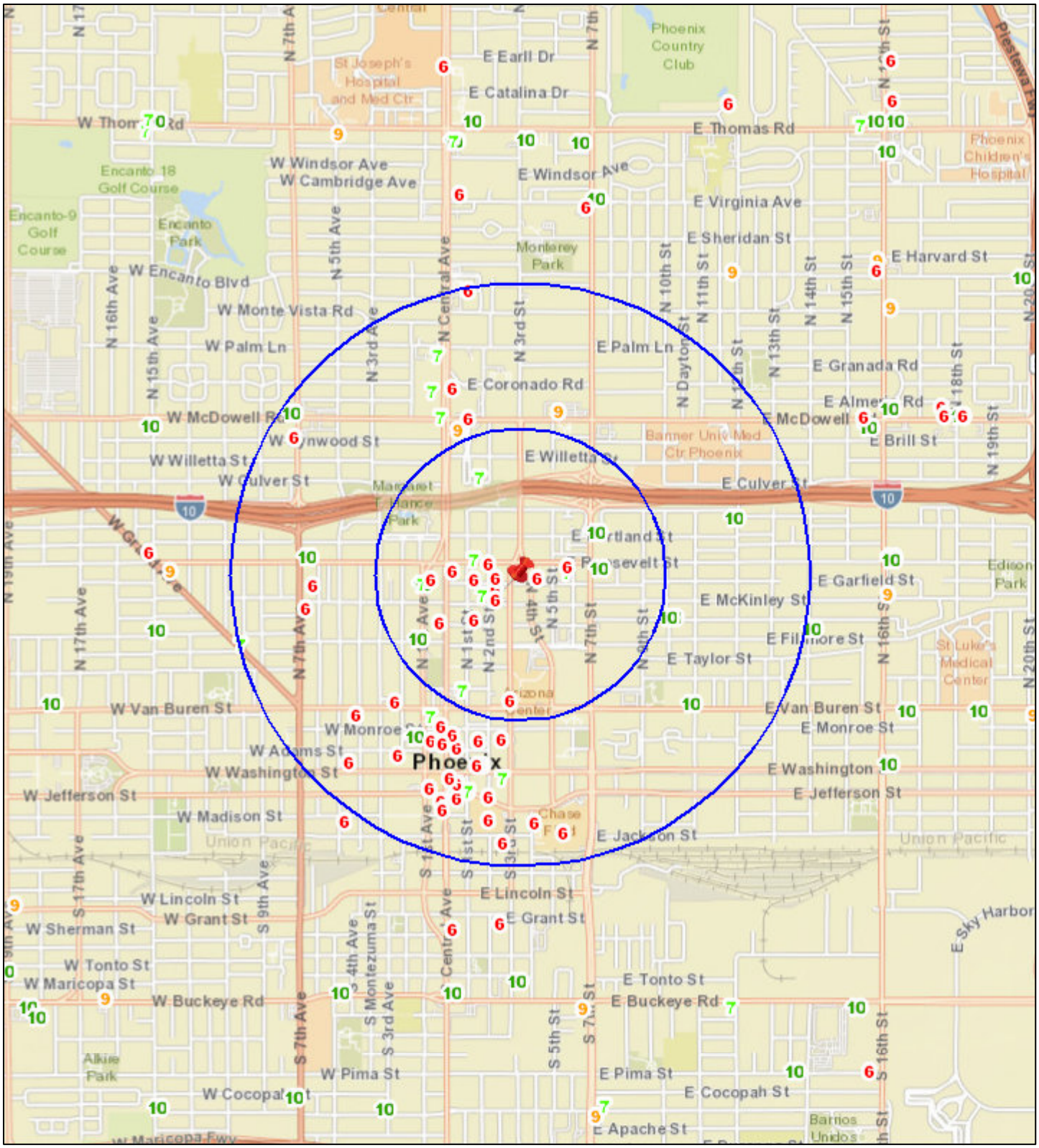
Description	Average	1/2 Mile Average
Parcels w/Violations	56	101
Total Violations	96	184

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1130001	1218	23 %	16 %	11 %
1130002	873	29 %	21 %	38 %
1131001	1015	7 %	8 %	28 %
1131002	1242	3 %	7 %	33 %
1132021	731	33 %	20 %	74 %
1132022	1257	47 %	29 %	55 %
1132031	1473	30 %	20 %	57 %
1132032	638	28 %	7 %	70 %
1141001	2299	16 %	37 %	44 %
Average		61 %	13 %	19 %

Liquor License Map: MILK & HONEY

333 E ROOSEVELT ST



N

Date: 12/21/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 35

Liquor License - Super Star Car Wash & Chevron Gas

Request for a liquor license. Arizona State License Application 175230.

Summary

Applicant
Reza Amirrezvani, Agent

License Type
Series 10 - Beer and Wine Store

Location
1905 W. Baseline Road
Zoning Classification: C-2
Council District: 8

This request is for a new liquor license for a convenience store that sells gas. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 14, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"Our owners currently own and operate several liquor licensed businesses in Arizona. We are responsible with our businesses and our beer and wine sales. We have also been trained in Arizona liquor laws to ensure compliance in sales of alcoholic beverages."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We take pride in what we do and work hard to create lifelong customers who recognise and trust our brand. We also take pride in our communities well beyond washing cars. We donate and partner with many local nonprofit organizations. We provide a full service experience with our one stop shop to get everything you need in this convenient location."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Super Star Car Wash & Chevron Gas
Liquor License Map - Super Star Car Wash & Chevron Gas

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: SUPER STAR CAR WASH & CHEVRON GAS

Liquor License

Description	Series	1 Mile	1/2 Mile
Liquor Store	9	1	1
Beer and Wine Store	10	3	2

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	54.16	76.22
Violent Crimes	9.21	7.90	9.66

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

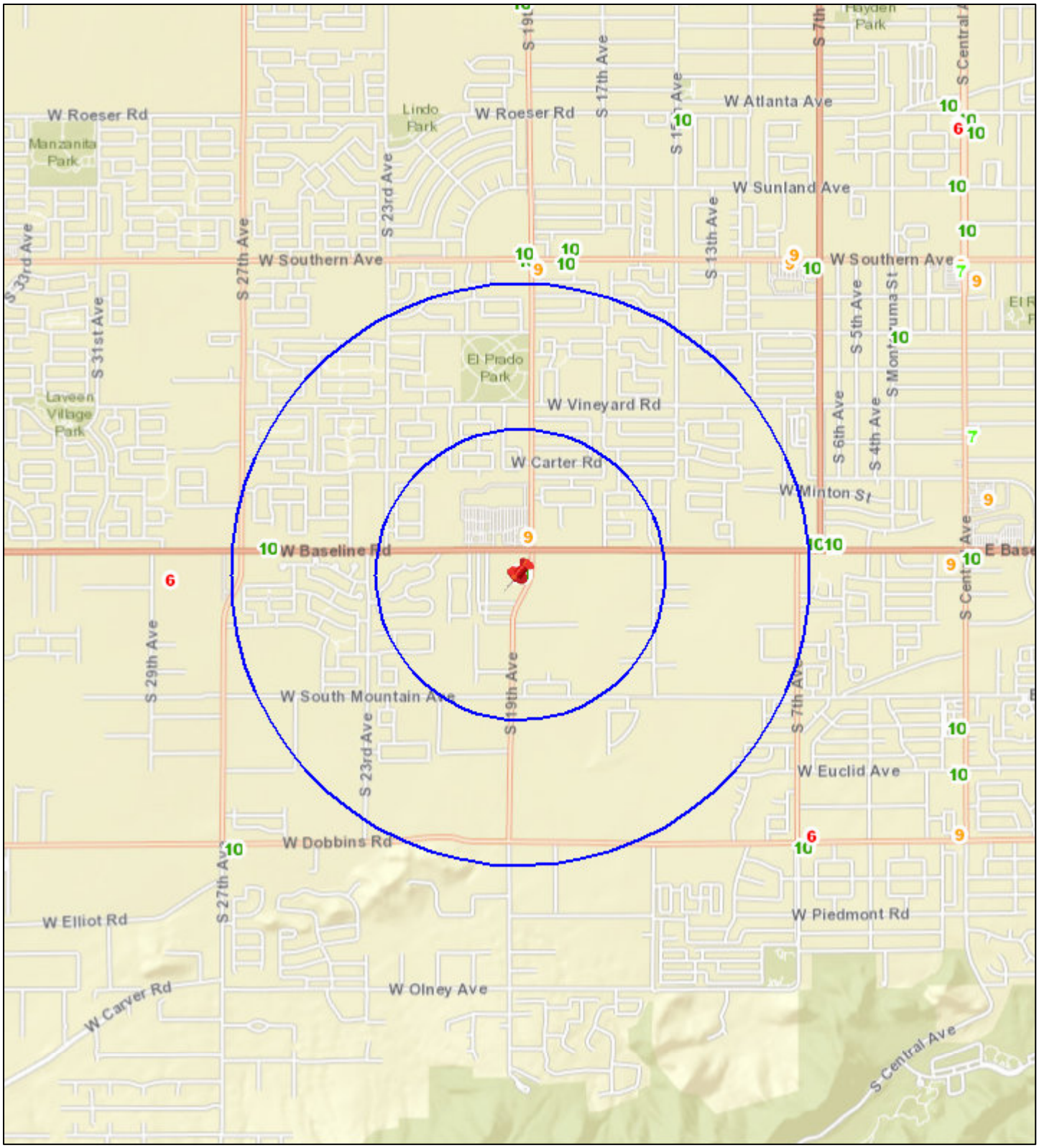
Description	Average	1/2 Mile Average
Parcels w/Violations	57	42
Total Violations	97	68

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1166022	3218	73 %	6 %	10 %
1166131	1193	81 %	0 %	1 %
1166132	1388	49 %	0 %	31 %
1166133	1862	95 %	14 %	9 %
Average		61 %	13 %	19 %

Liquor License Map: SUPER STAR CAR WASH & CHEVRON GAS

1905 W BASELINE RD



N

Date: 12/29/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 36

Liquor License - Kasai Asian Grill

Request for a liquor license. Arizona State License Application 170670.

Summary

Applicant
Kevin Kramber, Agent

License Type
Series 12 - Restaurant

Location
14344 N. Scottsdale Road
Zoning Classification: C-2 PCD
Council District: 2

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 11, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"1) I currently have over 200 + licenses that I am agent on. 2) Day to day manager has certified & approved Title IV liquor training. 3) Any & all disclosures pertaining to capability & reliability have been made."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We are a high end Japanese & teppan steakhouse restaurant and we would like to offer alcoholic beverages to those that desire to enhance their dinning experience with us."

Staff Recommendation
Staff recommends disapproval of this application based on a Finance Department recommendation for disapproval.

Attachments
Liquor License Data - Kasai Asian Grill
Liquor License Map - Kasai Asian Grill

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: KASAI ASIAN GRILL

Liquor License

Description	Series	1 Mile	1/2 Mile
Producer	1	1	0
Wholesaler	4	6	4
Bar	6	1	1
Beer and Wine Bar	7	5	1
Liquor Store	9	1	0
Beer and Wine Store	10	6	1
Hotel	11	2	0
Restaurant	12	49	16
Craft Distiller	18	1	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	13.19	24.62
Violent Crimes	9.21	0.74	0.95

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

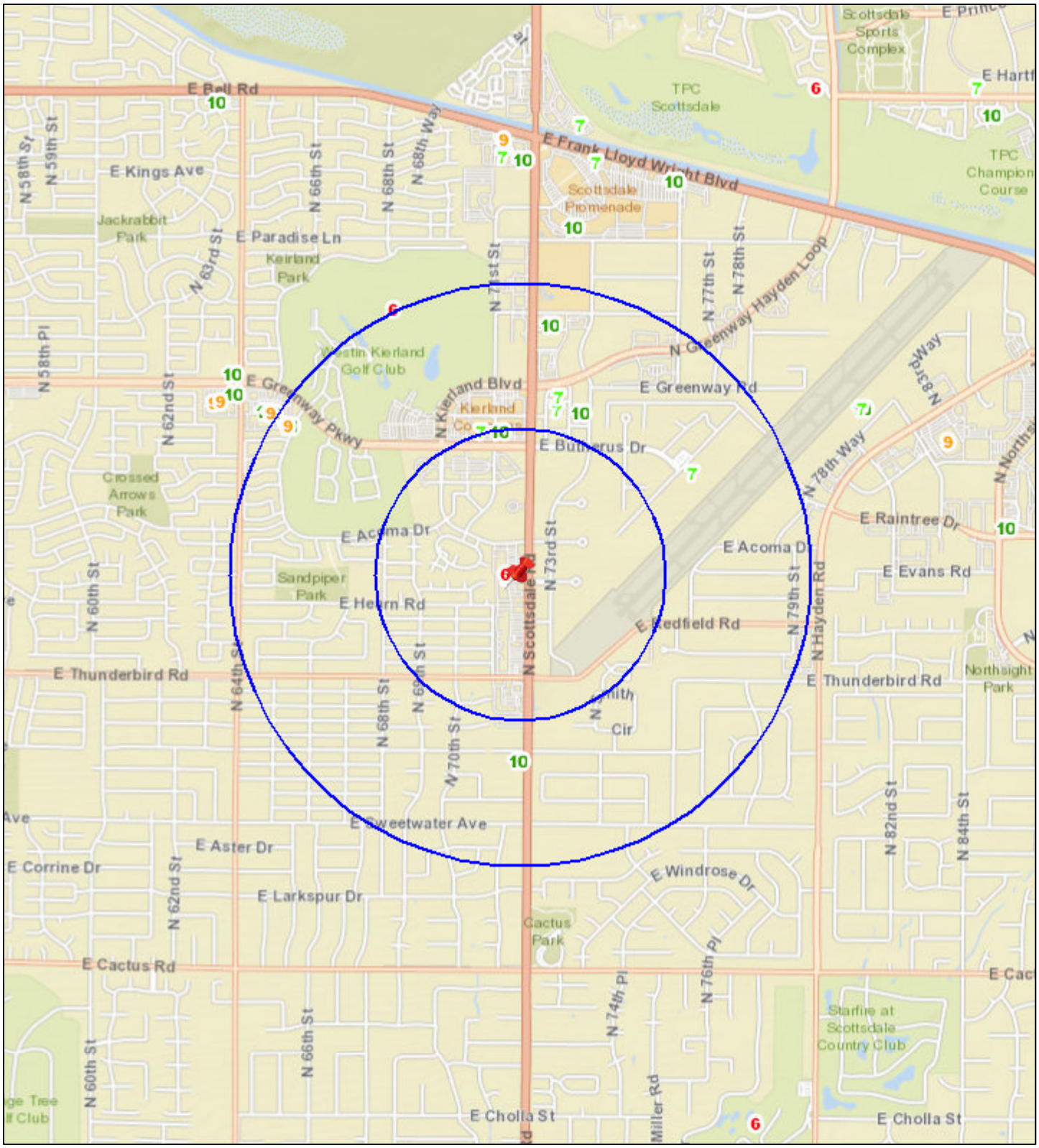
Description	Average	1/2 Mile Average
Parcels w/Violations	56	16
Total Violations	96	22

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1032072	1401	93 %	2 %	0 %
1032191	834	44 %	30 %	13 %
1032201	1364	95 %	15 %	3 %
1032202	513	51 %	32 %	4 %
1032203	1161	0 %	16 %	7 %
2168161	1812	95 %	0 %	4 %
Average		61 %	13 %	19 %

Liquor License Map: KASAI ASIAN GRILL

14344 N SCOTTSDALE RD



N

Date: 12/21/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 37

Liquor License - ARCO #42301

Request for a liquor license. Arizona State License Application 175428.

Summary

Applicant
Moshe Shlomo, Agent

License Type
Series 10 - Beer and Wine Store

Location
1602 E. Bell Road
Zoning Classification: C-2
Council District: 3

This request is for a new liquor license for a convenience store that sells gas. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 15, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"I have the capability, reliability and qualifications to hold this liquor license because I have studied and familiarized myself with Arizona liquor laws and intend to adhere to them. I am a firm believer that laws and limitations put in place are for the publics safety. I will up-hold the liquor laws because I care about this community and people in general."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I will serve the best interest of the public with the issuance of this liquor license because I will make sure that my staff and employees follow all of Arizona liquor laws to ensure that the public safety and well being are always top priority."

Staff Recommendation
Staff recommends disapproval of this application based on a Finance Department recommendation for disapproval.

Attachments
Liquor License Data - ARCO #42301
Liquor License Map - ARCO #42301

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: ARCO #42301

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	2	0
Beer and Wine Bar	7	3	2
Liquor Store	9	2	2
Beer and Wine Store	10	6	3
Restaurant	12	9	3

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	83.65	102.22
Violent Crimes	9.21	11.54	13.69

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

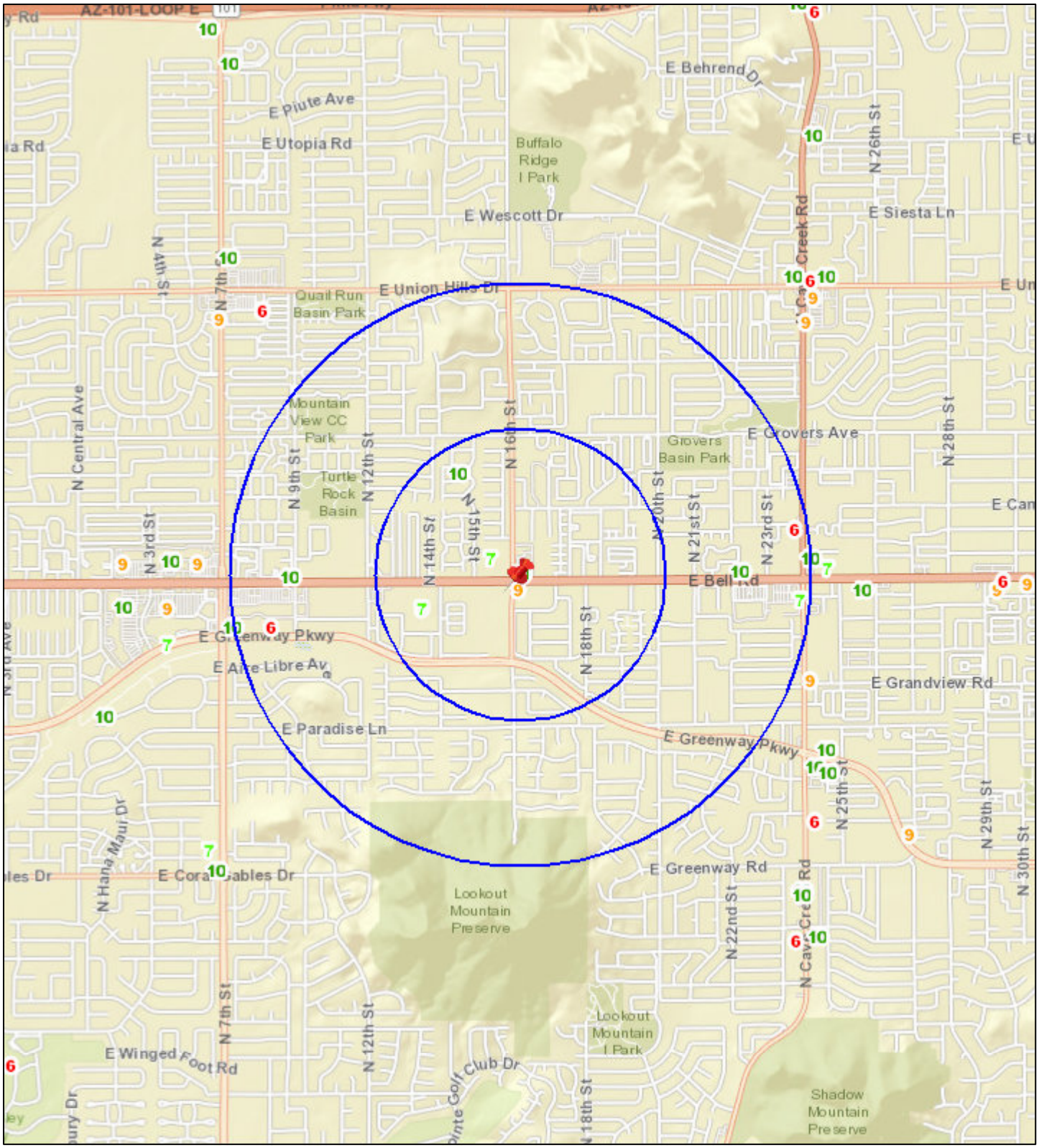
Description	Average	1/2 Mile Average
Parcels w/Violations	57	88
Total Violations	97	171

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1036062	854	90 %	13 %	4 %
1036063	2174	78 %	13 %	25 %
1036111	1396	66 %	14 %	3 %
6190002	1340	91 %	0 %	9 %
6192001	1053	20 %	23 %	17 %
6192003	2370	48 %	17 %	12 %
6193001	1220	87 %	12 %	14 %
6194001	1068	54 %	32 %	9 %
6194002	1484	18 %	18 %	8 %
6194003	1151	79 %	9 %	31 %
Average		61 %	13 %	19 %

Liquor License Map: ARCO #42301

1602 E BELL RD



N

Date: 12/29/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

PAYMENT ORDINANCE (Ordinance S-48297) (Items 38-40)

Ordinance S-48297 is a request to authorize the City Controller to disburse funds, up to amounts indicated below, for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requests continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code Section 42-13.

38 **Western Towing of Phoenix, Inc. dba Western Towing**

For $15,000.00 in additional payment authority for Contract 148443 for Arizona State Fair towing services to relocate vehicles or property from illegal parking areas for the Police Department. The Arizona State Fair is held annually during the month of October. Additional funds are being requested, as the actual need for services has been greater than originally estimated. The service is essential to the Police Department and the mandated Arizona Revised Statutes, Phoenix City Codes and department policies to tow vehicles.

39 **Settlement of Claim(s) Purrington v. City of Phoenix**

To make payment of up to $300,000.00 in settlement of claim(s) in *Purrington v. City of Phoenix*, 18-0786-001, AU, PD, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of property damage claim arising from a motor vehicle accident on Oct. 30, 2018, involving the Police Department.

40 **Settlement of Claim(s) Berber v. City of Phoenix**

To make payment of up to $72,700.00 in settlement of claim(s) in *Berber v. City of Phoenix*, 20-0718-001, GL, PD, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of

property damage claim arising from a water main break on Jan. 6, 2021, involving the Water Services Department.

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 41

Proposed 19th Avenue and Happy Valley Road Annexation (Ordinance S-48316)

Request City Council authorization to extend and increase the corporate limits of the City of Phoenix, Arizona, by annexing an area not within the present limits of the City of Phoenix, designated as the 19th Avenue and Happy Valley Road Annexation. Further request to authorize current Maricopa County zoning to continue in effect until municipal zoning is applied to the annexed territory.

Summary

The annexation was requested by Nick Wood, Esq., with Snell & Wilmer L.L.P., for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation. The City Clerk Department has received signed petitions representing 100 percent of the assessed value and 100 percent of the owners, excluding utilities, within the proposed annexation area.

Public Outreach

A public hearing was conducted on Jan. 5, 2022, to allow the City Council to gather community comment regarding the annexation proposal. Notification of the public hearing was published in the Arizona Business Gazette newspaper, and posted in at least three conspicuous places in the territory proposed to be annexed. Also, notice by first-class mail was sent to each property owner in the area proposed to be annexed.

Location

The proposed annexation area includes Maricopa County Assessor parcels 210-10-008B, 210-10-008D, 210-10-008F and 210-10-008G, located at 19th Avenue and Happy Valley Road (**Attachment A**). The annexation area is approximately 5.24 acres (0.0080 sq. mi.) and the population estimate is 11 individuals.
Council District: 1

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

ATTACHMENT A

ANNEXATION MAP

19TH AVE AND HAPPY VALLEY RD

City of Phoenix

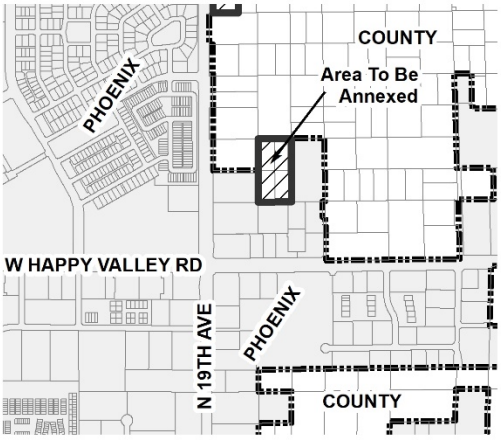
LEGAL DESCRIPTION

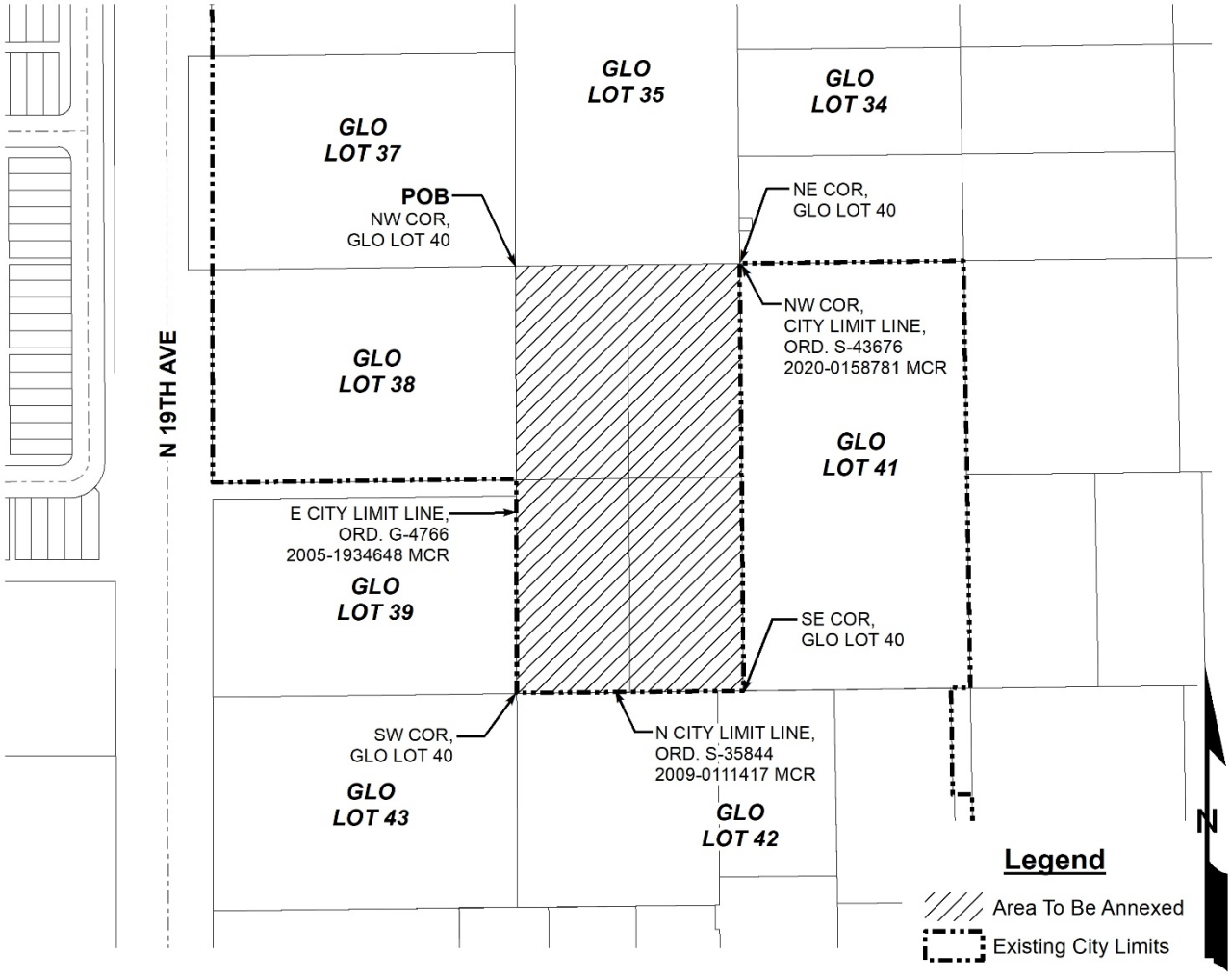
GLO LOT 40
SECTION 6 T. 4 N., R. 3 E.,
G. & S. R. B. & M.

ANNEXATION NUMBER: XXX

AREA IN SQUARE MILES
0.0080

VICINITY MAP





City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 42

Catalog Enrichment Services - Requirements Contract - RFP 16-141 (A) (Ordinance S-48299)

Request to authorize the City Manager, or his designee, to extend and allow additional expenditures under Contract 143027 with Baker & Taylor, LLC for Catalog Enrichment Services for the City of Phoenix Public Library use. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $45,000.

Summary
The Contractor provides Catalog Enrichment Services to the City of Phoenix Library Department. The Library provides access to over 1.6 million online catalogs for public use. The online catalogs (standard and mobile) are searched approximately 2.5 million times each month.

The current contract is scheduled to expire on June 30, 2022. The City is working on a new procurement process; an extension is necessary in order to ensure City services are not interrupted during completion of the new procurement process.

Contract Term
Upon approval, the contract term will be extended through June 30, 2023.

Financial Impact
Upon approval of $45,000 in additional funds, the revised aggregate value of the contract will not exceed $166,894. Funds are available in the Library Department's budget.

Concurrence/Previous Council Action
The contract was originally approved by City Council on July 6, 2016.

Responsible Department
This item is submitted by Deputy City Manager Inger Erickson and the Library Department.

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 43

Authorization to Amend Lease 135425 with Phoenix Newspapers, Inc. to Extend Term (Ordinance S-48300)

Request to authorize the City Manager, or his designee, to execute an amendment to Lease Agreement 135425 with Phoenix Newspapers, Inc., doing business as The Arizona Republic, to extend the lease term for a three-year period and to add two one-year options to extend. Further request to authorize the City Treasurer to accept all funds related to this item.

Summary

Phoenix Newspapers, Inc. currently leases 71 square feet of interior office space on the 11th floor of Phoenix City Hall located at 200 W. Washington St. through Jan. 31, 2022. The lease agreement will be amended to extend the term for a three-year period and to add two one-year options to extend. Base rent during the first year of the three-year extension is $161.83 per month, plus applicable taxes, which is within the range of market rents as determined by the Real Estate Division. Base rent will increase by three percent each year thereafter. Each option period will be exercised upon mutual agreement of the City and Phoenix Newspapers. Phoenix Newspapers is a long-term tenant in good standing.

Contract Term

This amendment will extend the lease agreement from Jan. 31, 2022, for a three-year term, plus two additional one-year options to extend.

Financial Impact

Revenue during the first year of the extension period will be $1,941.96 per year, plus applicable taxes.

Concurrence/Previous Council Action

The City Council approved:

- Agreement 135425 (Ordinance S-39522) on Feb. 1, 2013; and
- Agreement 135425 - Amendment (Ordinance S-44234) on Jan. 24, 2018.

Location
200 W. Washington St., 11th Floor.
Council District: 7

Responsible Department
This item is submitted by City Manager Jeffrey Barton, Deputy City Manager Karen Peters and the Finance and Public Works departments.

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 44

Grant of Public Utility Easement on City-owned Property at 6539 N. 43rd Ave. (Ordinance S-48301)

Request City Council to grant a public utility easement, for consideration of $1.00 and/or other valuable consideration, for the installation of an underground distribution electrical line to a City facility on City-owned property within the Salt River Project (SRP) service area; and further ordering the Ordinance recorded. This easement is needed to provide utilities for renovations at the West Plaza Park located at 6539 N. 43rd Ave.

Summary

This public utility easement will be for the area more fully described in the legal description ("Easement Premises") recorded with the ordinance and will be granted to all public service corporations, agricultural improvement districts, and telecommunication corporations providing utility service to the property located at 6539 N. 43rd Ave. (collectively "Grantee") for an indefinite period, subject to the following terms and conditions:

A. Grantee is hereby granted the right to construct, reconstruct, replace, repair, operate and maintain utility facilities together with appurtenant fixtures for use in connection therewith (collectively "Grantee Facilities") to, through, across and beyond Grantor's property within the Easement Premises. Subject to the notice requirements provided in paragraph "I," Grantee shall at all times have the right of full and free ingress and egress to and along the Easement Premises for the purposes herein specified. Grantee acknowledges and accepts that Grantee shall share the Easement Premises with other Grantees and shall use such Easement Premises with other Grantees in accordance with and consistent with industry standards and customs for shared use. Grantor agrees to coordinate the location of Grantee's Facilities within the Easement Premises and to pay costs for relocation of Grantee's Facilities as provided in paragraph "F."
B. Grantor shall not locate, erect or construct, or permit to be located or erected or constructed, any building or structure within the limits of the Easement Premises. However, Grantor reserves all other rights, interests, and uses of the Easement Premises that are not inconsistent with Grantee's easement rights herein conveyed and which do not interfere with or endanger any of the Grantee Facilities.

Notwithstanding the foregoing, Grantor shall not have the right to lower by more than one foot or raise by more than two feet the surface grade of Easement Premises without the prior written consent by the Grantee whose facilities will be affected by the change of elevation.

C. Grantee shall not have the right to use the Easement Premises to store gasoline or petroleum products, hazardous or toxic substances, or flammable materials; provided however, that this prohibition shall not apply to any material, equipment or substance contained in, or a part of, the Grantee Facilities, provided that Grantee must comply with all applicable federal, state and local laws and regulations in connection therewith. Additionally, the Easement Premises may not be used for the storage of construction-related materials or to park or store construction-related vehicles or equipment except on a temporary basis to construct, reconstruct, replace, repair, operate or maintain the Grantee Facilities.

D. Grantor shall maintain an appropriate three-foot clear area around all edges of all equipment pads for Grantee Facilities in addition to a clear operational area that extends 12 feet immediately in front of all transformer or switching cabinet openings, within the Easement Premises. No obstruction, trees, shrubs, fixtures or permanent structures shall be placed or permitted by Grantor within said areas. Grantee is hereby granted the right to trim, prune, cut, and clear away trees, brush, shrubs or other obstruction within said areas.

E. Grantee shall exercise reasonable care to avoid damage to the Easement Premises and all improvements thereon and agrees that following any work or use by Grantee within the Easement Premises, the affected area, including without limitation, all pavement, landscaping, concrete and other improvements permitted within the Easement Premises pursuant to this easement will be restored by Grantee to as close to original condition as is reasonably possible, at the expense of Grantee.

F. Grantor reserves the right to require the relocation of Grantee Facilities to a new location within Grantor's property; provided however, that: (1) Grantor pays the entire cost of redesigning and relocating existing Grantee Facilities to the new location; and (2) Grantor provides Grantee with a new and substantially similar public utility easement at no cost to Grantee. After relocation of Grantee Facilities to the new easement area, Grantee shall abandon its rights to use the Easement Premises granted in this easement without cost or consequence to Grantor.

G. Each public service corporation and telecommunication services corporation as a Grantee shall coordinate and work with other Grantees in the use of the Easement Premises. In the event that a third party or other Grantee requests the relocation of existing Grantee Facilities to a new location (whether or not) within the Easement Premises, the requesting party shall pay the entire cost of redesigning and relocating the existing Grantee Facilities.

H. Grantee shall not have the right to transfer, convey or assign its interests in this easement to any individual, corporation or other entity without the prior written

consent of Grantor, which consent shall not be unreasonably withheld. Grantee shall notify Grantor of any proposed transfer, conveyance or assignment of any rights granted herein at address listed below.

I. Except in emergencies or exigent circumstances such as service restoration, Grantee agrees to contact Grantor at least one business day prior to Grantee's entrance onto the Easement Premises where the Easement Premises are located: (1) on a site that includes Aviation Department facilities; (2) water and wastewater treatment facilities; (3) Police Department headquarters located at 620 W. Washington St.; (4) Fire Department headquarters located at 150 S. 12th St.; (5) City Hall located at 200 W. Washington St.; (6) City Court Building located at 300 W. Washington St.; (7) Calvin C. Goode Building located at 251 W. Washington St.; (8) Transit Operations Center located at 320 N. 1st Ave. or West Transit Facility located at 405 N. 79th Ave.; or (9) in a secured or fenced area.

Location
6539 N. 43rd Ave., identified by Maricopa County assessor parcel number 152-31-146.
Council District: 5

Responsible Department
This item is submitted by Deputy City Manager Inger Erickson and the Parks and Recreation and Finance departments.

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 45

Acceptance and Dedication of Deeds and Easements for Public Utility, Roadway and Sidewalk Purposes (Ordinance S-48306)

Request for the City Council to accept and dedicate deeds and easements for public utility, roadway and sidewalk purposes; further ordering the ordinance recorded.

Summary

Accepting the property interests below will meet the Planning and Development Department's Single Instrument Dedication Process requirement prior to releasing any permits to applicants.

Easement (a)
Applicant: Daniela Avram and Cornel Avram, its successor and assigns
Purpose: Public Utility
Location: 28008 N. 37th Ave.
File: FN 210120
Council District: 1

Deed (b)
Applicant: Daniela Avram and Cornel Avram, its successor and assigns
Purpose: Roadway
Location: 28008 N. 37th Ave.
File: FN 210120
Council District: 1

Deed (c)
Applicant: BHABK Holdings 1, LLC, its successor and assigns
Purpose: Roadway
Location: 3801 and 3805 N. 3rd St.
File: FN 210115
Council District: 4

Easement (d)
Applicant: BHABK Holdings 1, LLC, its successor and assigns
Purpose: Sidewalk

Location: 3801 and 3805 N. 3rd St.
File: FN 210115
Council District: 4

Easement (e)
Applicant: Clayton 4405 7th LLC, its successor and assigns
Purpose: Sidewalk
Location: 4445 N. 7th St.
File: FN 210105
Council District: 4

Easement (f)
Applicant: RH Diamond Homes LLC, its successor and assigns
Purpose: Public Utility
Location: 2225 W. Highland Ave.
File: FN 210113
Council District: 7

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development and Finance departments.

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 46

An Ordinance Authorizing the Issuance of General Obligation Refunding Bonds (Ordinance S-48317)

An ordinance authorizing the issuance of one or more series of general obligation refunding bonds of the City of Phoenix providing for the sale of refunding bonds; providing for the application of the proceeds of refunding bonds; providing for the registration, transfer and payment thereof; authorizing the execution of certain agreements in connection therewith or in lieu thereof; ratifying and confirming certain actions in connection with the sale of said refunding bonds; directing the refunding and redemption of certain general obligation bonds of the City of Phoenix; and making other provisions in connection with the foregoing.

Summary
This ordinance authorizes the refunding of certain outstanding general obligation bonds to take advantage of the City's high quality credit ratings, low interest rates and to provide debt service savings to benefit the rate payers by offsetting costs.

Refunding opportunities currently exist that are expected to save an estimated $16 million over the next 10 years.

Financial Impact
The City will levy secondary property taxes for the repayment of the obligations. Any refunding bonds issued as a result of this ordinance will produce savings.

Responsible Department
This item is submitted by City Manager Jeffrey Barton and the Finance Department.

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 47

Resolution to Declare June 19th of Each Year as a Designated City Holiday Known as Juneteenth Day (Resolution 21988)

This item is a proposed Resolution for the City Council to declare June 19th of each year as a designated city holiday beginning in 2022.

Summary

On June 19, 1865, about two months after the Confederate General Robert E. Lee surrendered at Appomattox, Virginia, a Union general arrived in Galveston, Texas to inform enslaved African-Americans of their freedom and that the Civil War had ended, putting into effect the Emancipation Proclamation issued more than two and a half years earlier by President Abraham Lincoln. Juneteenth Day is a holiday to celebrate freedom and to commemorate the end of slavery in the United States.

Responsible Department

This item is submitted by City Manager Jeffrey Barton, and the Human Resources and Law departments.

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 48

Tohono O'odham Nation Gaming Grants (Ordinance S-48320)

Request to authorize the City Manager, or his designee, to accept, and as awarded, to enter into related agreements for up to $70,000 in new funding from the Tohono O'odham Nation under the 2021 funding cycle. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, funds are directed by the Tohono O'odham Nation in connection with these grants.

Summary

These monies would be applied, as directed by the Tohono O'odham Nation towards the following:

Non-Profit Applications

- United Cerebral Palsy of Central Arizona: $50,000 for the Therapy Clinic program which will provide pediatric occupational, physical, speech, and feeding therapies for children with disabilities. Specialized evidence-based services will be expanded to more of Arizona's children with motor disorders that are related to cerebral palsy, genetic disorders, rare disorders and any diagnosis that causes limitations in a child's physical abilities. There is no other program in Arizona that uniquely serves the physical needs with targeted, evidence based, cutting edge approaches.
- UMOM New Day Centers: $20,000 for the Client Assistance program, which will provide youth programming, educational assistance, moving assistance and employment assistance to unsheltered families waiting to enter shelter and escape from an unsafe environment of living on the streets, sleeping in their cars, or residing in an unstable living situation.

The gaming compact entered into by the State of Arizona and various tribes calls for 12 percent of gaming revenue to be contributed to cities, towns, and counties for government services that benefit the general public including public safety, mitigation of impacts of gaming, and promotion of commerce and economic development. The Tohono O'odham Nation will notify the City, by resolution, of the Tribal Council, if it desires to convey to the City a portion of its annual 12 percent local revenue-sharing contribution.

Financial Impact

There is no budgetary impact to the City of Phoenix and no general funds are required. Entities that receive gaming grants are responsible for the management of those funds.

Responsible Department

This item is submitted by City Manager Jeffrey Barton and the Office of Government Relations.

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 49

Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-48310)

Request to authorize the City Manager, or his designee, to transfer retirement funds for Derek Rogers in the amount of $73,714.51 to the Arizona State Retirement System. Further request to authorize the City Controller to disburse funds.

Summary

Pursuant to Arizona Revised Statutes, sections 38-730 and 38-922, retirement service credits for former members of the City of Phoenix Employees' Retirement System (COPERS) may be transferred to the Arizona State Retirement System upon approval by the City Council. The following former City of Phoenix employee has requested transfer of the balance of their credited service:

Rogers, Derek: $73,714.51

Concurrence/Previous Council Action

This item was approved by the COPERS Board at its Jan. 6, 2022 meeting.

Responsible Department

This item is submitted by Deputy City Manager Inger Erickson and the Retirement Office.

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 50

Combating COVID-19 Efforts (Ordinance S-48321)

Request to authorize the City Manager, or his designee, to amend current contracts and execute new contracts as necessary to obtain at-home COVID-19 tests, personal protective equipment, emergency and community outreach services, and other expenses related to COVID-19. This request will provide funding to enhance and expand services supporting the City's COVID-19 response including community testing, vaccination services and distribution of masks and at-home test kits. Further request the City Controller to disburse all funds related to this item. This item will have an aggregate amount of $25 million. There is no impact to the General Fund. Funding is available through the City's allocation of the American Rescue Plan Act (ARPA) received from the federal government.

Summary

The City Council declared a local emergency due to the COVID-19 pandemic on March 20, 2020. Staff continues to work with healthcare providers to ensure that community testing and vaccination efforts for residents are available throughout the duration of the public health emergency.

Currently, the Public Works Department coordinates community testing and vaccination services for the general public at community testing healthcare events. With support and authorization from the Mayor and City Council, the American Rescue Plan Act (ARPA) allowed the Public Works Department to partner with medical providers to administer 78,038 COVID-19 tests, 11,271 vaccines, and 596 gift cards through the Vaccine Incentive Program at 406 events Citywide. To date, the City has expended $5 million in ARPA funding to advance community testing and vaccine efforts.

On Jan. 5, 2022, City Council approved contract amendments and additional expenditures for continued community testing and vaccination services through June 30, 2022, and to purchase at-home test kits for distribution to Phoenix residents. The Finance Department has received close to 25,000 at-home test kits that will be distributed to the general public through the medical partners who provide community testing and vaccination events.

During the City Council Work Study Session on Jan. 11, 2022, City Council discussed including funding for these efforts in the upcoming American Rescue Plan Act (ARPA) Strategic Plan. In response to City Council discussion and the current COVID surge, staff requests funding for an enhanced and expanded strategy with additional hours and events. The expanded services will also include free at-home test kits and KN95 masks for distribution to Phoenix residents. Staff recommends allocating $15 million to support community testing and vaccination services and $10 million to purchase at-home tests, high quality masks, and informational materials to be distributed to Phoenix residents as Combating COVID Kits. The kits will include at-home rapid antigen tests, supportive resources for positive tests, information about COVID-19 vaccines, KN95 masks, and testing and vaccination schedules with promotional materials on the City's vaccine efforts.

With the continued COVID-19 surge, Public Works and Finance staff have developed a phased approach for expansion of community testing and vaccination events including distribution of the Combating COVID Kits as outlined. The phased approach will ensure an efficient and equitable implementation of the program based on access to an adequate supply of the test kits and masks. Staff will closely monitor and evaluate the availability of test kits and masks before recommending progression between each phase of the program as noted.

Phase One

- Add the distribution of at-home rapid tests and KN95 masks to the City's current community partners.
- This distribution will be in coordination with current testing and vaccination efforts through the Mobile Units and at the Static Sites. The distribution of the kits will be data-driven and focused on the communities throughout the City with the highest spread of COVID-19.

Phase Two

- Expand distribution of the Combating COVID Kits, including at-home rapid tests and KN95 masks, to school districts and to senior centers located throughout the City of Phoenix.
- Coordinate with the City Manager's Youth and Education Office to ensure an equitable distribution of the Kits similar to the City's previous PPE for Schools effort.

Phase Three

- Expand distribution of the Combating COVID Kits to City of Phoenix facilities throughout the community focusing on areas of the City with the highest spread of

COVID-19.
- This expansion will include City of Phoenix libraries, community centers, senior centers, housing sites and other locations identified throughout the City. These locations will include an analysis of the spread of the virus and other factors including access to vaccinations, testing and other critical resources.

The federal government has recently implemented new resources intended to increase access to at-home COVID-19 tests. This includes launch of the covidtests.gov website, providing the opportunity for every household in the U.S. to order four free at-home COVID-19 tests. As a result, staff will initially use $5 million of the proposed $10 million allocation for the Combating COVID Kits to launch the initial phases of the program. The new federal government resources may reduce demand for the City's Combating COVID Kits. Staff will evaluate the demand for the City's Combating COVID Kits before using the remaining $5 million allocation.

Contract Term
The existing agreements began on July 1, 2021 and ending June 30, 2022. Staff is requesting two additional six-month extensions on existing contracts, for a contract term ending June 30, 2023.

Financial Impact
With the proposed funding, the ARPA Second Tranche Strategic Plan will include an allocation of $15 million for community testing and vaccine services through June 30, 2023 in addition to $10 million to purchase at-home tests, high quality masks and informational materials to be distributed to Phoenix residents. City staff is tracking all expenses related to the COVID-19 pandemic separately and will continue regularly reporting these expenses to the City Council.

Concurrence/Previous Council Action
The City Council approved:

- Agreement 152430 (S-46775) with Equality Health Foundation on June 17, 2020;
- Agreement 152654 (S-46848) with Family Tree Health Care LLC on July 1, 2020;
- Agreement 152825 (S-46849) with Vincere Physicians Group on July 1, 2020;
- Agreements: 152430 with Equality Health Foundation, Sonora Quest Laboratories LLC, and Equality Care Center; 152654 with Family Tree Health Care LLC; and 152825 with Vincere Physicians Group - Amendments (S-47158) on Dec. 2, 2020;
- Agreement 153733 with Premier Lab Solutions (S-47219) on Jan. 6, 2021;
- ARPA Strategic Plan for Allocation 1 on June 8, 2021;
- Agreements: 152430 with Equality Health Foundation, Sonora Quest Laboratories LLC, and Equality Care Center; 152654 with Family Tree Health Care LLC; 152825

with Vincere Physicians Group; and 153733 with Premier Lab Solutions - Amendments (S-47827) on July 1, 2021 extending through June 30, 2022; ARPA Strategic Plan Update on Sept. 21, 2021; and

- Agreements: 152430 with Equality Health Foundation, Sonora Quest Laboratories LLC, and Equality Care Center; 152654 with Family Tree Health Care LLC; 152825 with Vincere Physicians Group; and153733 with Premier Lab Solutions - Amendments (S-48162) on Dec. 1, 2021.
- Agreements: 152430 with Equality Health Foundation, Sonora Quest Laboratories LLC, and Equality Care Center; 152654 with Family Tree Health Care LLC; 152825 with Vincere Physicians Group; and 153733 with Premier Lab Solutions - Amendments (S-48260) on Jan. 5, 2022.

Responsible Department

This item is submitted by City Manager Jeffrey Barton, Deputy City Manager Karen Peters and the Finance and Public Works departments.

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 51

Roofing Repairs and Replacements Contract - Amendment (Ordinance S-48308)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 149138 with Capstone Roofing, LLC and Stratton Restoration, LLC, dba Stratton Builders to provide additional funding for roofing repairs and replacements. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $280,000. This program is federally funded and no City General Funds are used.

Summary
The Housing Department uses contractors to provide roofing repairs and replacement services. These services are used for Senior Housing Sites, Section 32 Scattered Sites Single Family Homes and Housing Administration Buildings. The additional funds will be used to continue the renovations and repairs for the Section 32 homes. The United States Department of Housing and Urban Development has approved Section 32 homeownership programs, which provide the right to sell these single-family homes subject to certain requirements that include roofing repairs or replacements.

Contract Term
The contract term will remain unchanged, ending on Jan. 31, 2024.

Financial Impact
The initial authorization for Contract 149138 was for an expenditure not to exceed $511,000. This amendment will increase the authorization for the contract by an additional $280,000, for a new total not-to-exceed contract value of $791,000. The program is federally funded and no City General Funds are used.

Concurrence/Previous Council Action
The City Council approved Contract 149138 (Ordinance S-45276) on Jan. 9, 2019.

Responsible Department
This item is submitted by Deputy City Manager Gina Montes and the Housing Department.

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 52

Custodial Services (Housing Locations) Contract - Amendment (Ordinance S-48309)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 144489 with Triangle Services, LLC to extend the life of the contract for approximately 12 months to allow time for a new solicitation and to add $25,000 in additional funding for custodial services at City Housing locations. Further request to authorize the City Controller to disburse all funds related to this item. This program is federally funded and no City General Funds are used.

Summary

Triangle Services, LLC provides custodial services for the Housing Department's Family Self-Sufficiency building and Emmett McLoughlin Community Training and Education Center (CTEC). These services include general cleaning of the interior and exterior including floors, restrooms and cubicle cleanings.

The Housing Department is requesting to extend this contract to coincide with the term of the Housing Department’s Custodial Services Senior Sites contract (Contract 146886) which terminates on Jan. 31, 2023. This will combine all the Housing Department locations under one contract. These two locations have vacant rooms and unused spaces because of COVID-19, and it is difficult to determine the custodial service requirements until longer-term evaluation of activities is determined during these changing environments.

Contract Term

The term of the contract began on March 1, 2017, and ends Feb. 22, 2022. If approved, the amendment would extend the term of the contract to Jan. 31, 2023.

Financial Impact

Upon approval of $25,000 in additional funds, the revised contract value will not exceed $325,000. This contract is federally funded.

Concurrence/Previous Council Action

The City Council approved Contract 144489 (Ordinance S-43170) on Jan. 25, 2017.

Locations
Family Self-Sufficiency Program, 810 S. 7th Ave.
Emmett McLoughlin CTEC, 1150 S. 7th Ave.
Council District: 8

Responsible Department
This item is submitted by Deputy City Manager Gina Montes and the Housing Department.

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 53

Workplace Readiness Skills Training - Professional Services Contract (Ordinance S-48312)

Request to authorize the City Manager, or his designee, to enter into an agreement with AVID Consulting, LLC to provide workplace readiness skills training. Further request to authorize the City Controller to disburse all funds related to this item. The total contract amount will not exceed $300,000. Funds are available from the City's allocation of Workforce Innovation and Opportunity Act (WIOA) grant funds.

Summary

This contract will provide training services to develop and deliver behavioral training services to clients enrolled as an adult or dislocated worker to help build and refine soft -skills, increase workplace readiness and increase opportunities for attaining employment in high-growth industry positions at family-sustaining wages.

Procurement Information

Request for Proposals, RFP-21-BWDD-45, was conducted in accordance with the City of Phoenix Administrative Regulation 3.10. The Human Services Department received six offers on Oct. 29, 2021, and determined four were responsive and responsible to the solicitation requirements.

The Evaluation Committee evaluated all proposals based on the outlined evaluation criteria, responsiveness to all the specifications, terms and conditions, and responsibility to provide the required service. The Evaluation Criteria was as follows:

Soft-Skills Training Curriculum: 250 possible points;
Service Methodology: 250 possible points;
Qualifications and Experience of Key Personnel: 200 possible points;
Bid Price Schedule: 200 possible points; and
Organizational Capacity: 100 possible points.

The Evaluation Committee reached consensus and recommends that the contract be awarded to AVID Consulting LLC, as the highest-scoring, responsive and responsible offeror, which is most advantageous to the City.

Contract Term
The term of the contract will begin on or about July 1, 2022, through June 30, 2023, with four one-year options to extend, which may be exercised by the City Manager or his designee.

Financial Impact
The total contract value shall not exceed $300,000. Funds are available from WIOA grant funds in the Human Services Department's budget.

Responsible Department
This item is submitted by Deputy City Manager Gina Montes and the Human Services Department.

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 54

Maintenance of Environmental Units at Pueblo Grande - Requirements Contract - IFB 18-036 (A) (Ordinance S-48313)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 146486 with Crawford Mechanical Services LLC for the purchase of preventative maintenance and repairs of temperature control units at Pueblo Grande for the Parks and Recreation Department. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $37,000.

Summary
This contract provides preventative maintenance and repairs to 18 specialized units at the Pueblo Grande Museum for two collections vaults inside the museum. The units cannot be maintained by City staff due to the required certifications needed to maintain these units. The original contract value did not account for auxiliary services that would be needed beyond regular preventative maintenance. Due to the age of the units more maintenance has been needed than originally anticipated and the additional funding is needed.

Contract Term
The contract term is Dec. 1, 2017 through Nov. 30, 2022.

Financial Impact
Upon approval of $37,000 in additional funds, the revised aggregate value of the contract will not exceed $107,000. Funds are available in the Parks and Recreation Department's budget.

Concurrence/Previous Council Action
This contract was originally approved by City Council on Nov. 29, 2017.

Location
4619 E. Washington St.
Council District: 8

Responsible Department

This item is submitted by Deputy City Manager Inger Erickson and the Parks and Recreation Department.

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 55

Downtown Redevelopment Area Plan Update Consulting Services - RFP-CED21-RDA (Ordinance S-48307)

Request to authorize the City Manager, or his designee, to enter into an agreement with PLAN*et Communities PLLC for the Downtown Redevelopment Area (RDA) plan update consulting services. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate value of the contract will not exceed $468,000. There is no impact to the General Fund. Funding is available in the Downtown Community Reinvestment Fund.

Summary

In January 1979, the City Council established the Downtown RDA through the City Council's designation of a slum area. The Arizona State Legislature's 2018 amendment to section 42-6209(F) of the Arizona Revised Statutes (A.R.S.) requires the City to review each RDA with portions that lie within the City's Central Business District (CBD) and either renew, modify or terminate each RDA designation every 10 years.

As part of the review process of the existing RDA's, staff identified two RDAs that overlapped the City's CBD: the Downtown RDA and the Government Mall RDA. In February 2019, staff issued a Request for Proposals for consulting services to evaluate those RDAs. PLAN*et Communities PLLC was the successful proposer for that solicitation and conducted the necessary research, data collection and analysis to assist the City in determining whether to renew, modify, or terminate the Downtown RDA and the Government Mall RDA, to comply with the amended A.R.S. At its June 8, 2020 Formal City Council meeting, the City Council approved the recertification of the Downtown RDA, along with an updated boundary map, ensuring that the 10-year timeline between RDA designations was met. That Council approved recertification consolidated the following RDAs into one Downtown RDA:

- Downtown;
- Government Mall;
- Hope VI;
- 7th Street and Buckeye Road;
- Booker T. Washington;

- Eastlake Park;
- Special; and
- Western portion of the Sky Harbor RDA.

In consideration of the revised and expanded boundaries that were approved by Council, the City is required to update the redevelopment plan for the Downtown RDA. The proposed scope of work is expected to include:

- Downtown RDA Plan Framework Update

a. Socio-economics study
b. Land use study / general land use plan
c. Review of existing plans
d. Development and improvement objectives
e. Plan implementation program and actions
f. Integration plan for cohesive RDA policy;

- Downtown RDA Plan Development

a. Data collection
b. Public engagement and visioning
c. Steering committee meetings
d. Community outreach
e. Analysis resulting in proposed actions and plan; and

- Presenting Updated RDA Plan for City Council Review and Approval.

Procurement Information
RFP-CED21-RDA, Redevelopment Area Plan Update Consulting Services, was issued on Aug. 3, 2021, and conducted in accordance with Administrative Regulation 3.10. Two proposals were received; one of which was non-responsive. Staff recommends the proposal offered by PLAN*et Communities PLLC as the responsive and responsible proposal.

Contract Term
The term of the contract is for one year, with four one-year renewal options. Staff anticipates executing the contract in February 2022.

Financial Impact
The aggregate value of the contract shall not exceed $468,000. There is no impact to the General Fund. Funds are available in the Downtown Community Reinvestment Fund.

Location
The Downtown RDA approximate boundaries are South Black Canyon Highway, Moreland Street, 16th Street, and South Black Canyon Highway
Council Districts: 4, 7, and 8

Responsible Department
This item is submitted by Deputy City Managers Ginger Spencer and Gina Montes, and the Community and Economic Development, Neighborhood Services, and Planning and Development departments.

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 56

Custodial Services (Fire Department Locations) - Requirements Contract - IFB 17 -043 (Ordinance S-48302)

Request to authorize the City Manager, or his designee, to extend and allow additional expenditures under Contract 144485 and 144486 with IWC LLC and Triangle Services Inc to provide Custodial Services for the City of Phoenix Fire Department. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $700,000.

Summary
These contracts provide the City of Phoenix Fire Department all the necessary trained personnel, supervision, scheduling, equipment and tools with maintenance, and other accessories required to perform custodial services for the general cleaning of the facility's interiors and exteriors. The extension of these contracts will provide continued janitorial services, which are critical to the health, safety and welfare of all users of those facilities, especially during this unprecedented time of COVID-19. The Central Procurement Division has just commenced the process of completing a new Invitation for Bid solicitation for these services.

Contract Term
Upon approval, the contract term will be extended through Feb. 28, 2023.

Financial Impact
Upon approval of $700,000 in additional funds, the revised aggregate value of the contracts will not exceed $3,098,488. Funds are available in the Fire Department’s budget.

Concurrence/Previous Council Action
These contracts were originally approved by City Council on Jan. 25, 2017.

Responsible Department
This item is submitted by Assistant City Manager Lori Bays and the Fire Department.

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 57

Counterterrorism Training - RFA 19-144A (Ordinance S-48304)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 151126 with Lion Global Foundation, dba Counterterrorism Education Learning Lab (CELL) for the purchase of counterterrorism training for the Police Department. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $50,000.

Summary

The Homeland Defense Bureau's Threat Mitigation Unit (TMU) was awarded additional grant funds to continue to create and implement a plan to protect critical infrastructure, not only in the Phoenix metropolitan area, but around the state as well. The TMU is a contributing partner at the Arizona Counterterrorism Information Center (ACTIC), the federally recognized fusion center for the State of Arizona. The stated mission of ACTIC is to protect the people and the critical infrastructure of the state. The TMU would like to continue to take advantage of the effort and expertise already in existence with CELL's Community Awareness Program for ACTIC for Arizona's public safety community to use.

Contract Term

The contract term is Oct. 17, 2019 through Oct. 16, 2022, with the option to extend two additional years, in one-year increments.

Financial Impact

Upon approval of $50,000 in additional funds, the revised aggregate value of the contract will not exceed $150,000. Funds are available in the Police Department’s budget.

Concurrence/Previous Council Action

This contract was originally approved by City Council on Oct. 16, 2019.

Responsible Department

This item is submitted by Assistant City Manager Lori Bays and the Police Department.

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 58

Request Authorization for Sale of Canine Luky (Ordinance S-48319)

Request to authorize the City Manager, or his designee, to approve the sale of canine Luky to Officer Ron Dorfman for $1.00. Officer Dorfman is assigned to the Tactical Support Bureau's Canine Unit and has requested to purchase and retire his assigned canine Luky in accordance with Administrative Regulation 4.21. Officer Dorfman left the Canine Unit on Dec. 20, 2021.

Summary

Canine Luky is five years old, and has served the Tactical Support Bureau with professionalism, dedication and exemplary effort for over three years. Canine Luky has not met the Bureau's standard of five years of service and would typically be reassigned to a new handler prior to being eligible to retire. Canine Luky has a strong defensive personality which would make it very difficult to transfer him to another handler. After an evaluation by Unit trainers it is recommended that canine Luky be retired in lieu of being reassigned.

This request is for the authorization of the sale of canine Luky for $1.00. The purchase of canine Luky is being made by Officer Ron Dorfman, who agrees to accept full responsibility and liability for canine Luky and to care for him for the remainder of his life.

Responsible Department

This item is submitted by Assistant City Manager Lori Bays and the Police Department.

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 59

Light Rail Small Business Financial Assistance Program (Ordinance S-48305)

Request to authorize the City Manager, or his designee, to continue the Light Rail Small Business Financial Assistance Program (SBFAP) Pilot underway along the South Central Extension/Downtown Hub (SCE/DH) and the Northwest Extension Phase II (NWEII) light rail alignments through the duration of construction for both projects, which are anticipated for completion in 2024, and to expand the eligibility criteria as recommended below.

Summary

The SBFAP Pilot, funded through T2050 and the Phoenix Community Development Investment Corporation (PCDIC), is facilitated by Valley Metro and administered by Prestamos CDFI, LLC. The Pilot opened for applications in mid-March 2021. As the Pilot's initial year is scheduled to expire in March 2022, this report provides information on the Pilot's current state and recommendations for modifying and continuing the Pilot.

Program Pilot

In response to requests from area businesses, the SBFAP Pilot was created to provide direct financial assistance to help mitigate commercial interruptions for locally-owned small and micro businesses that have been directly impacted by construction along the South Central Extension/Downtown Hub and the Northwest Extension Phase II light rail extension corridors. The Pilot has a two-tiered approach to provide funding:

- Tier I - offers $3,000 in program year financial assistance; and
- Tier II - offers up to $9,000 in program year assistance based on demonstrated revenue impact during the construction period.

The current SBFAP Pilot's eligibility criteria for affected businesses are:

Tier I

- Be physically located on, or directly accessed from: 1) Central Avenue, between Jefferson Street and Baseline Road (for SCE/DH); 2) Dunlap Avenue, between 19th and 25th Avenues (for NWEII); 3) 25th Avenue, between Dunlap Avenue and Mountain View Road (for NWEII); 4) Mountain View Road, from 25th Avenue to the

former Metrocenter Mall property (for NWEII); or 5) the Metrocenter Mall property, as eligible businesses in the former Metrocenter Mall property are also within the program boundaries (for NWEII);
- Be a locally owned business with 15 or fewer employees and $500,000 or less in annual revenue for the overall business;
- Be currently open and operational on the affected light rail construction alignment with posted hours of operation, as well as open and operational prior to the start of construction;
- Conduct business directly with consumers where transactions primarily take place at the location on the affected construction alignment;
- Be able to provide all necessary documents to verify program eligibility;
- Be in good standing with all local, state, and federal taxing and licensing authorities; and
- Sign a waiver releasing the City, Valley Metro, and any contractors selected to run the SBFAP Pilot from any claims related to revenue impacts arising out of light rail planning, design, and construction activities in order to receive this Pilot's funding support.

Tier II

- Meet all the requirements of Tier I;
- Be operational at least one year prior to the start of construction; and
- Demonstrate, via financial business records, a loss in revenue after the commencement of construction and related activities in comparison with the same period in the year prior to the start of construction.

The SBFAP Pilot's application is available online and in paper format in both English and Spanish. Business owners can also get assistance completing the application via an in-person visit with Prestamos staff at the location of their choice or by telephone.

Staff has gathered information and developed recommendations for consideration in continuing the SBFAP Pilot beyond the current program year. To date, 58 businesses have received more than $300,000 in financial assistance through this Pilot. An additional 20 applications are currently in process.

The following provides a couple of examples of customer feedback demonstrating the impact of the funds: “The process was very simple. We got the funds within two weeks. We used it for payroll to keep our employees. Having the extra income to help pay our bills really helped us.” Carlos Castillo, Owner, Chino-Mex. “The program has tremendously helped me and I really appreciate it if I can continue to receive help and

until this construction is over. I really appreciate it and thanks a million." Samson Davis, Owner, Sam's Barber and Stylist School.

The City of Phoenix and Valley Metro recommends approval to continue the SBFAP through the duration of construction, anticipated for completion on or about Dec. 31, 2024, and to revise eligibility criteria to better serve the needs of businesses along the South Central Extension/Downtown Hub and the Northwest Extension Phase II light rail extension.

Recommended Eligibility Criteria Revisions

To better meet the needs of businesses in these corridors by increasing access to the funding, staff recommends revising the eligibility criteria as shown below:

- Increase the business annual revenue threshold from not more than $500,000 to not more than $750,000; and
- Allow all otherwise eligible businesses that were open prior to the start of construction to participate by removing the requirement for businesses to have been open not less than one year prior to construction.

Financial Impact

This report does not seek approval of any additional funding. The extension of the program will utilize funds already allocated in the budget and approved during the creation of the SBFAP.

Concurrence/Previous Council Action

- The City Council approved implementation of the SBFAP Pilot (Ordinance S-47126) on Dec. 2, 2020.
- The Citizens Transportation Commission recommended approval of this item on Dec. 16, 2021, by a vote of 11-0.
- The Transportation Infrastructure and Planning Subcommittee recommended approval of this item on Jan. 19, 2022, by a vote of 4-0.

Public Outreach

Prior to and during the rollout of the SBFAP Pilot, Valley Metro's business assistance coordinators and Prestamos staff canvassed the corridors and visited all businesses on the alignment to introduce the Pilot and explain the application process in English and Spanish. They also handed out fliers, left door-knocker pamphlets, sent email blasts, and called each business to announce the Pilot. Prestamos and Valley Metro staff continue to conduct canvassing aimed at businesses who have not applied to the Pilot or completed the application process. In addition, the Pilot is receiving ongoing promotion with monthly business-assistance newsletters and phone call/emails to

businesses. A promotional video was also filmed with Councilmember Carlos Garcia.

Location
The Northwest Extension Phase II will run along Dunlap Avenue to 25th Avenue, then north to Mountain View Road, and then west across Interstate 17, via an elevated structure over the freeway, to its terminus adjacent to Metrocenter Mall.
Council Districts: 1, 3 and 5

The South Central Extension Downtown Hub will run along Central Avenue, from Jefferson Street to Baseline Road.
Council Districts: 7 and 8

Responsible Department
This item is submitted by Deputy City Manager Mario Paniagua and the Public Transit Department.

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 60

Purchase of Two MicroTraxx Loaders (Ordinance S-48311)

Request to authorize the City Manager, or his designee, to enter into contract with Rohmac, Inc. to purchase two MicroTraxx loaders for cleaning culverts and other areas. Further request to authorize the City Controller to disburse all funds related to this item. This item will have a total amount of up to $254,071.

Summary
Rohmac, Inc. is the producer and sole distributor of the remote controlled MicroTraxx track loader. This equipment allows City personnel to clean culverts and other areas that are difficult to maneuver. It removes debris in an efficient manner, and keeps workers from having to encounter potentially hazardous material in a confined space. It is the only loader of its size and capability available on the market today.

Procurement Information
In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a determination memo, citing sole source. Rohmac, Inc. is the sole source for the MicroTraxx remote control track loader in the world. Below is the price of one MicroTraxx:

MicroTraxx: $115,487 (including tax)

Contract Term
This item will be for the one-time purchase of two MicroTraxx loaders, starting on or about Council approval, Feb. 2, 2022.

Financial Impact
This contract will have a one-time total amount of up to $254,071.

Funding is available in the Street Transportation Department's budget.

Responsible Department
This item is submitted by Deputy City Managers Mario Paniagua and Karen Peters, and the Street Transportation and Public Works departments.

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 61

Amend Ordinance S-47307 - Mutual Aid Intergovernmental Agreement for Waste Collection and Transportation (Ordinance S-48315)

Request to authorize the City Manager, or his designee, to execute an amendment to the Intergovernmental Agreement authorized by Ordinance S-47307, to include the Salt River Pima-Maricopa Indian Community as a party for Waste Collection and Transportation Mutual Aid.

Summary
The purpose of the Intergovernmental Agreement (IGA) is to define procedures for participating jurisdictions to request emergency assistance and supply resources for waste collection and transportation or other assistance in emergencies, identify available resources and inventory, and provide a mechanism for maintenance and repair of these resources. Resources include, but are not limited to, automated side loaders, bin/barrel delivery vehicles, front loaders, rear loaders, backhoes, front-end load tractors, pick-up trucks, mobile equipment, trailers and dump trucks.

Contract Term
The agreement term will remain unchanged, ending on June 30, 2026.

Concurrence/Previous Council Action
The City Council approved the Waste Collection and Transportation Mutual Aid IGA (Ordinance S-47307) on Feb. 17, 2021.

Financial Impact
There is no financial impact to the Public Works Department associated with this IGA.

Location
Council Districts: Citywide and Out of City

Responsible Department
This item is submitted by Deputy City Manager Karen Peters and the Public Works Department.

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 62

Margaret T. Hance Park Master Plan Implementation - Design Services Amendment - PA75200553 (Ordinance S-48314)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 145602 with Hargreaves Jones Landscape Architecture, D.P.C. to reaffirm Council authorization for Design Services for the Margaret T. Hance Park Master Plan Implementation project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. There is no additional fee for services included in this amendment.

Summary

The purpose of this project is to redevelop Margaret T. Hance Park, which is an existing 32-acre urban park over Interstate Highway 10 within downtown Phoenix. The redevelopment project site spans one mile between 3rd Street and 5th Avenue and is under the jurisdiction of the Arizona Department of Transportation. The estimated total cost for the design and phased construction for this project is $118 million over multiple fiscal years as outlined in the Hance Park Master Plan 2016 Final Design Report.

This amendment is necessary because previously executed amendment extensions have expired due to project phasing and funding sources being provided periodically through philanthropic investments and grants. This amendment will provide for the Council authorized seven years to be continuous from the original execution date of the agreement and to continue providing design services.

Hargreaves Jones Landscape Architecture, D.P.C.’s additional services include, but are not limited to: final design, permit and bid support; preparation of a separate standalone Phase 1B construction documents package; and temporary landscape treatment design to connect the garden to adjacent existing conditions.

Contract Term

This amendment will provide for the Council authorized seven years to be continuous from the original execution date of the agreement. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional

changes may be executed after the end of the term.

Financial Impact

- The initial agreement was authorized for an amount not-to-exceed $5 million, including all subconsultant and reimbursable costs.
- Amendment 1 increased the agreement value by $8.3 million, for a new total amount not-to-exceed $13.3 million, including all subconsultant and reimbursable costs.
- This amendment will reaffirm previous Council authorizations for a total amount not-to-exceed $13.3 million, including all subconsultant and reimbursable costs.

Funding is available through philanthropic investments and grants and in the Parks and Recreation Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to the execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Concurrence/Previous Council Action

The Parks, Arts, Education and Equality Subcommittee recommended City Council approval to enter into an agreement with Hargreaves Jones Landscape Architecture, D.P.C. to provide Margaret T. Hance Park Master Plan Implementation Design Services - Project PA75200553-1 on May 24, 2017, by a vote of 3-0.

The City Council approved:

- Design Services Agreement 145602 (Ordinance S-43648) on July 6, 2017; and
- Design Services Agreement 145602 Amendment 1 (Ordinance S-44819) on June 20, 2018.

Public Outreach

Public outreach and community participation will be conducted on an as-needed basis.

Location

Margaret T. Hance Park is an existing 32-acre urban park located over Interstate 10, within downtown Phoenix. The redevelopment project site spans one mile between 3rd Street and 5th Avenue.
Council District: 7

Responsible Department

This item is submitted by Deputy City Managers Inger Erickson and Mario Paniagua, the Parks and Recreation Department, and the City Engineer.

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 63

Parking Meter Mechanisms and Accessories Contract Recommendation (Ordinance S-48318)

Request to authorize the City Manager, or his designee, to enter into a contract with IPS Group, Inc. to provide single-space parking meters, payment processing, and associated back-end support software systems and services. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The total contract value will not exceed $4.3 million.

Summary

The City's Parking Meter Program provides an important source of revenue to the City but also provides a benefit to downtown businesses, restaurants, and events by managing access and use of on-street parking in the downtown and midtown areas of Phoenix. The Street Transportation Department (Streets) manages the program and continuously works to improve the parking meter system to meet the needs of the public.

Streets currently operates a mix of approximately 1,700 smart parking meters and 500 older coin-only parking meters for a total of 2,200 parking meters. The coin-only parking meters have operated in areas of low parking demand. The smart meters operate on a proprietary financial software that utilizes wireless technology for two-way communications with the parking meters to accept and monitor payments, monitor their status and use, provide remote diagnostics, and allow for settings to be changed remotely. The 1,700 smart meters were purchased and installed in 2013 and are nearing the end of their anticipated ten-year service life.

As part of the contract, IPS Group, Inc. will replace all 2,200 parking meters with new smart parking meters and will provide wireless communications and monitoring services for the smart meters under this new contract. The contract will also allow Streets to upgrade parking meter mechanisms to current technologies. The new smart parking meters will include a five-year warranty period.

This item has been reviewed and approved by the Information Technology Services Department.

Procurement Information

In accordance with Administrative Regulation 3.10, a Request for Proposals (RFP 63-2201) was conducted. Proposals were received from three firms, and all three proposers were deemed responsive. The selection committee was made up of four staff members from Streets and one member from outside of the City of Phoenix. The committee thoroughly reviewed and scored all proposals based on the evaluation criteria, which included Technical Specifications (225 points), Method of Approach (250 points), Data Management System (200 points), Telecommunication and Reporting (75 points), Value Added Services (25 points), Reference Checks (25 points), and Price (200 points) for a total of 1,000 points maximum. The panel reached consensus in recommending award of the contract to IPS Group, Inc. The proposers and their scores are listed below:

IPS Group, Inc.: 767.50
Duncan Parking Technologies, Inc.: 612.50
MacKay Meters, Inc.: 601.00

Contract Term

The contract term is for a five-year period, commencing March 1, 2022, and ending Feb. 28, 2027. Provisions of the contract include an option to extend the term for an additional five years, which may be exercised by the City Manager or designee.

Financial Impact

The contract will have an estimated initial capital investment of $1.8 million for the purchase of new parking meters. The total contract amount will not exceed $4.3 million over the initial five-year term of the contract.

Funding is available in the Streets' Capital Improvement Program and Operating budgets.

The City anticipates parking meter revenues will exceed $12.5 million over the initial five-year term of the contract.

Concurrence/Previous Council Action

The Transportation, Infrastructure and Innovation Subcommittee recommended City Council approval to issue a Request for Proposals on April 7, 2021, by a vote of 4-0.

The City Council approved the issuance of a Request for Proposals on May 19, 2021.

Location

Council Districts: 4, 7 and 8

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Street Transportation Department.

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 64

Sanitary Sewer and Lift Station Emergency Repair Job Order Contract Program Engineering Services - Amendment - WS90500232 (Ordinance S-48298)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 149486 with Brown and Caldwell, Inc., to provide additional engineering services for the Sanitary Sewer and Lift Station Emergency Repair Job Order Contract program. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed $400,000.

Summary

The purpose of this project is to provide sufficient resources for immediate response to emergency needs 24 hours a day, seven days a week to support the City's Sanitary Sewer and Lift Station Repair Job Order Contract program.

This amendment is necessary because the program is evolving and there is an increased need for construction administration and inspection services to monitor the contractor. The contract has already supported approximately 40 emergency repairs and a number of these repairs required extensive engineering services, using the existing value faster than budgeted. This amendment will provide additional funds to the agreement to ensure continuation of timely repairs.

Contract Term

There is no change to the term of the agreement. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

- The initial agreement for Engineering Services was approved for a fee not-to-exceed $730,000, including all subconsultant and reimbursable costs.
- This amendment will increase the agreement by an additional $400,000, for a new total not-to-exceed agreement value of $1.13 million, including all subconsultants and reimbursable costs.

Funding for this amendment is available in the Water Services Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to the execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Concurrence/Previous Council Action
The City Council approved Engineering Services Agreement 149486 (Ordinance S-45439) on March 20, 2019.

Responsible Department
This item is submitted by Deputy City Managers Karen Peters and Mario Paniagua, the Water Services Department, and the City Engineer.

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 65

Salt River Project Construction and Service Agreements for Deer Valley Water Treatment Plant Cortez Substation (Ordinance S-48303)

Request to authorize the City Manager, or his designee, to enter into four agreements with Salt River Project, to provide Professional Services that include design, procurement, and construction services for the Deer Valley Water Treatment Plant Cortez Substation. Further request to authorize the City Controller to disburse all funds related to this item. The fee for services will not exceed $600,000.

Additionally, request the City Council to grant an exception pursuant to Phoenix City Code section 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code section 42-18.

Summary

Maintenance testing of the Deer Valley Water Treatment Plant (DVWTP) Salt River Project (SRP) Substation transformer protectors identified that each of the two transformer protectors have reached the end of their useful lifecycle and there are no longer spare parts available for repairs. The transformer protectors will no longer adequately protect the substation transformer from explosion or fire as required by the National Fire Protection Agency (NFPA). The transformer protectors will be upgraded to the latest available technology models in order to meet the NFPA requirements and provide protection of the transformers to maintain power to the DVWTP.

The objective is to improve DVWTP's ability to continue delivering potable water to customers during potential local transformer failure that would result in a complete plant power outage. The project elements are as follows:

- Replacement of two DVWTP transformer protectors at SRP's existing Cortez substation serving the DVWTP. Without properly functioning transformer protectors, the substation is at risk of fire or explosion in the event of transformer failure.
- The City has requested SRP to perform the design, procurement, and construction for replacement of the two City-owned transformer protectors, at SRP's existing Cortez substation. Contracting out to SRP will provide the necessary checks and balances to ensure SRP substation design and NFPA protection standards are

being met to adequately protect the substation transformers.

Contract Term
The contract term is four years starting on or about February 2022.

Financial Impact
Funding in the amount of $600,000 is available in the Water Services Department's Capital Improvement Program budget.

The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all services rendered, which may extend past the agreement termination.

Location
Deer Valley Water Treatment Plant
Council District: 1

Responsible Department
This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 66

Final Plat - Talinn Phase 3 - PLAT 210048 - Northeast Corner of Deer Valley Drive and 56th Street

Plat: 210048
Project: 06-657
Name of Plat: Talinn Phase 3
Owner: D.R. Horton, Inc.
Engineer: Brian J. Diel, RLS
Request: A 279 Lot Residential Plat
Reviewed by Staff: Jan. 6, 2022
Final Plat requires Formal Action Only

Summary
Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public.

Location
Generally located at the northeast corner of Deer Valley Drive and 56th Street.
Council District: 2

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 67

Amend City Code - Ordinance Adoption - Rezoning Application Z-35-17-1 - Approximately 390 Feet North of the Northeast Corner of 24th Avenue and Lone Cactus Drive (Ordinance G-6951)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-35-17-1 and rezone the site from R-5 DVAO (Multifamily Residence District, Deer Valley Airport Overlay) to A-1 DVAO (Light Industrial, Deer Valley Airport Overlay) for a moving and storage facility.

Summary

Current Zoning: R-5 DVAO
Proposed Zoning: A-1 DVAO
Acreage: 2.05 acres
Proposed Use: Moving and storage facility

Owner: Douglas A. Rupp
Applicant: Douglas A. Rupp
Representative: Brenda Johnson

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Deer Valley Village Planning Committee heard the case on May 13, 2021 and recommended approval, per the staff recommendation, by a vote of 11-0.
PC Action: This case was continued by the Planning Commission on June 3, 2021, Sept. 2, 2021, Nov. 4 2021 and Dec. 2, 2021. The Planning Commission heard the case on Jan. 6, 2022 and recommended approval, per the Deer Valley Village Planning Committee recommendation with an additional stipulation by a vote of 8-0 vote.

Location

Approximately 390 feet north of the northeast corner of 24th Avenue and Lone Cactus Drive
Council District: 1
Parcel Addresses: 21435 and 21449 N. 24th Ave.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-35-17-1) FROM R-5 DVAO (MULTIFAMILY RESIDENCE DISTRICT, DEER VALLEY AIRPORT OVERLAY) TO A-1 DVAO (LIGHT INDUSTRIAL, DEER VALLEY AIRPORT OVERLAY).

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

SECTION 1. The zoning of a 2.05-acre site located approximately 390 feet north of the northeast corner of 24th Avenue and Lone Cactus Drive in a portion of Section 24, Township 4 North, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from "R-5 DVAO" (Multifamily Residence District, Deer Valley Airport Overlay) to "A-1 DVAO" (Light Industrial, Deer Valley Airport Overlay).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit "B."

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations,

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violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. The building height shall not exceed 30 feet.

2. The public sidewalk along 24th Avenue shall be detached with a minimum 5-foot-wide landscape area located between the sidewalk and back of curb and planted to the standards below. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with the creation of a comfortable pedestrian environment.

    a. Large canopy, single-trunk, shade trees shall be placed 25 feet on center or in equivalent groupings. Fifty percent of the required trees shall be a minimum 3-inch caliper and 50 percent shall be a minimum 2-inch caliper.

    b. At tree maturity, the trees shall shade the sidewalks to a minimum 75 percent.

    c. Drought tolerant shrubs and vegetative groundcovers with a maximum mature height of 24 inches to provide a minimum of 75 percent live coverage at maturity.

3. All perimeter building elevations shall contain architectural embellishments and detailing such as material changes, pilasters, offsets, recesses, variation in window size and location, and/or overhang canopies, as approved by the Planning and Development Department.

4. A minimum building setback of 50 feet shall be provided along the east property line, abutting residential zoning.

5. A minimum 10-foot landscape setback shall be provided along the east and north property lines and shall include shade trees placed 20 feet on center or in equivalent groupings. 25 percent of the trees shall be minimum 4-inch caliper and 75 percent of the trees shall be minimum 3-inch caliper, as approved by the Planning and Development Department.

6. The developer shall plant shade trees in and around the employee and customer parking area to provide shade for 25 percent of the parking area at maturity, as approved by the Planning and Development.

7. A solid wall shall be constructed along the north and east property lines adjacent to residential uses. The walls shall consist of solid masonry or similar material and shall include material and textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs, as approved by the Planning and Development Department.

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8. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

9. The developer shall dedicate 4-feet of right-of-way for the east side of the property for a total 20 foot-wide alley, as approved by the Planning and Development Department.

10. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Deer Valley Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

11. The developer shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.

12. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.

13. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

14. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

15. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

16. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

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SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 2nd day of February, 2022.

_____
MAYOR

ATTEST:

_____City Clerk

APPROVED AS TO FORM:

_____City Attorney

REVIEWED BY:

_____City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-35-17-1

Within a portion of Section 24, Township 4 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

21435 N 24TH STREET (#209-07-17): Lot 17, of Black Canyon Heights, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona recorded in book 56 of Maps page 14. S/T/R: 24 4 North 2 East. MCR# 5614

21435 N 24TH STREET (#209-07-14): Lot 14, of Black Canyon Heights, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona recorded in book 56 of Maps page 14. S/T/R: 24 4 North 2 East. MCR# 5614

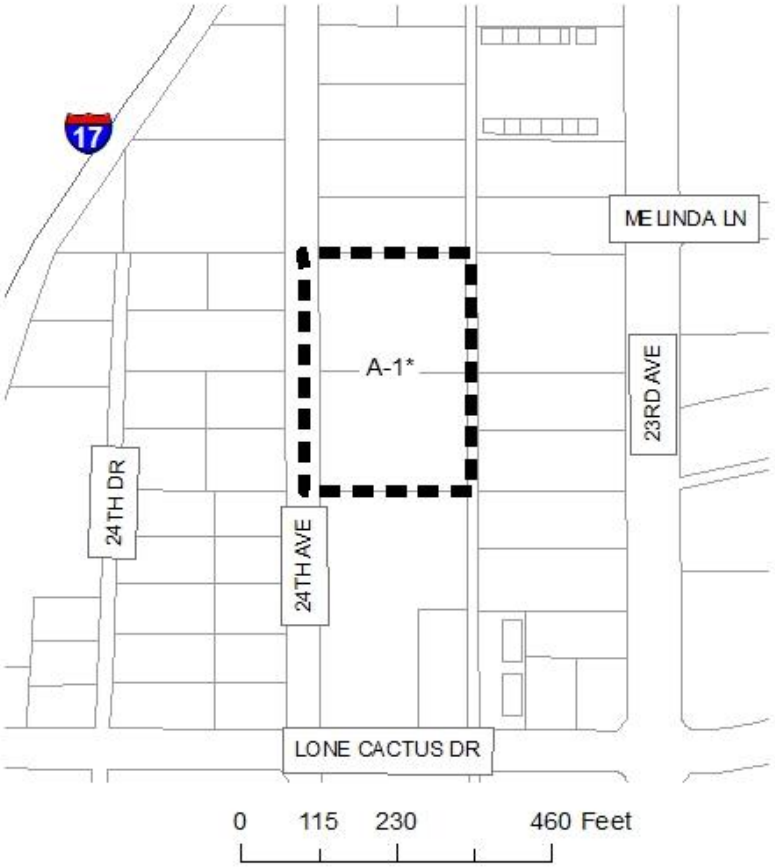
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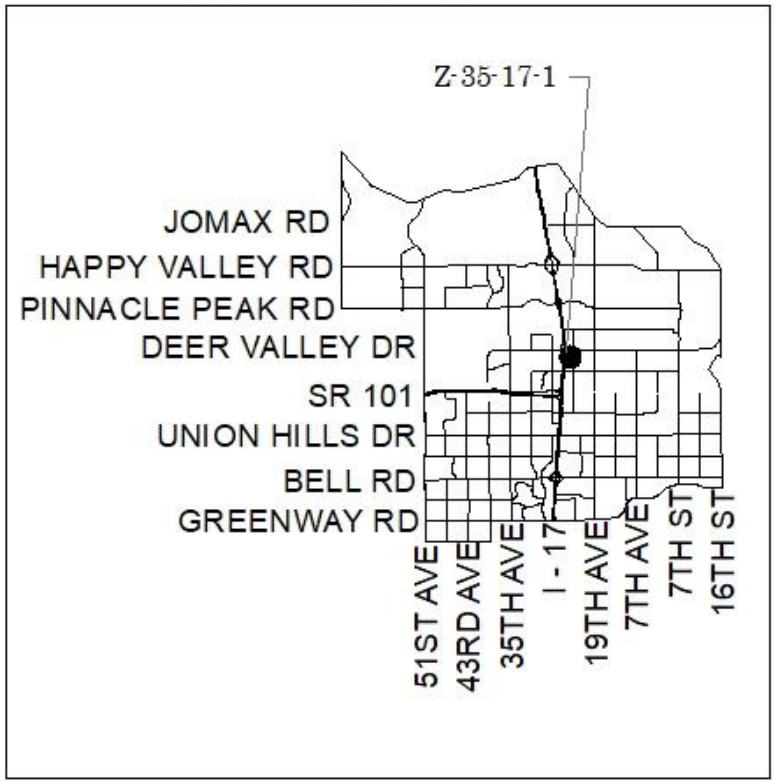
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - -

Zoning Case Number: Z-35-17-1
Zoning Overlay: Deer Valley Airport Overlay District
Planning Village: Deer Valley





NOT TO SCALE

N

Drawn Date: 5/28/2021

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City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 68

Amend City Code - Ordinance Adoption - Rezoning Application Z-44-21-2 (Modera Kierland PUD) - Southwest Corner of Paradise Lane and Scottsdale Road (Ordinance G-6954)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-44-21-2 and rezone the site from C-2 PCD (Intermediate Commercial District, Planned Community District) to PUD (Planned Unit Development) to allow multifamily and commercial uses.

Summary

Current Zoning: C-2 PCD
Proposed Zoning: PUD
Acreage: 6.80 acres
Proposed Use: Multifamily residential and commercial uses

Owner: 16000 Scottsdale, LLC
Applicant: Mill Creek Residential
Representative: Nick Wood, Esq., Snell & Wilmer, LLP

Staff Recommendation: Approval, subject to stipulations.
VPC Info: The Paradise Valley Village Planning Committee heard the case on Aug. 13, 2021 for information only.
VPC Action: The Paradise Valley Village Planning Committee heard the case on Dec. 6, 2021 and recommended approval, per the staff recommendation with a modified stipulation and an additional stipulation, by a vote of 12-0.
PC Action: The Planning Commission heard the case on Jan. 6, 2022 and recommended approval, per the Paradise Valley Village Planning Committee recommendation with additional stipulations and a deleted stipulation, by a vote of 8-0.

Location

Southwest corner of Paradise Lane and Scottsdale Road.
Council District: 2
Parcel Addresses: 16000 N. Scottsdale Road

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-44-21-2) FROM C-2 PCD (INTERMEDIATE COMMERCIAL, PLANNED COMMUNITY DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT DISTRICT).

_____

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

SECTION 1. The zoning of a 6.80-acre site located on the southwest corner of Paradise Lane and Scottsdale Road in a portion of Section 3, Township 3 North, Range 4 East, as described more specifically in Exhibit “A,” is hereby changed from “C-2 PCD” (Intermediate Commercial District, Planned Community District) to “PUD” (Planned Unit Development District).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit “B.”

SECTION 3. Due to the site’s specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations,

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violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. An updated Development Narrative for the Modera Kierland PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped October 29, 2021, as modified by the following stipulations:

    a. Front Cover: Remove “HEARING DRAFT” and revise submittal date information on bottom of the cover page as follows:
    1st Submittal: June 28, 2021
    2nd Submittal: September 10, 2021
    Hearing Draft: October 29, 2021
    City Council adopted: TBD

    b. Pages 10 and 12, Streetscape adjacent to Paradise Lane and 71st Street: Both Paradise Lane and 71st Street require the X-E Street Section. An E section requires detached sidewalks where a minimum 5-foot-wide sidewalk is required and a minimum 8-foot-wide landscape area is required.

    c. Page 14, Section D5: Update verbiage to indicate that shade requirement is for both public sidewalks and private pathways to require 75 percent shade on all public sidewalks and private pathways.

    d. Page 18, Amenities: The applicant shall add the following language to the development narrative: One bicycle repair station (“fix it station”) shall be provided and maintained along the 71st Street frontage. The bicycle repair station (“fix it station”) shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include: standard repair tools affixed to the station; a tire gauge and pump affixed to the base of the station or the ground; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.

    e. Page 13, Section D2.g: Modify the standards to: Minimum 7,500-square foot entry court and event lawn to be located near a main entrance of the building at grade and have no permanent occupiable buildings or structures on it.

    f. Page 13, Section D3.a: Revise from “Unreserved Retail/Visitor” to state “Unreserved Retail/Restaurant/Visitor”.

    g. Page 10, Section D1.c: Revise South (Interior) setback to 28 feet (Minimum).

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2. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

3. The developer shall dedicate right-of-way and reconstruct bus stop pad along southbound Scottsdale Road south of Paradise Lane. The bus stop pad shall be compliant with City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet. The bus stop pad shall be spaced from the intersection according to City of Phoenix Standard Detail P1258. Trees shall be placed to provide 50 percent shade coverage to the bus stop pad at full maturity, as approved by the Planning and Development Department.

4. The property owner shall record documents that disclose the existence, and operational characteristics of Scottsdale Municipal Airport (SDL) to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

5. The developer shall provide documentation to the City of Phoenix prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a “No Hazard Determination” from the FAA. If temporary equipment used during construction exceeds the height of the permanent structure a separate Form 7460-1 shall be submitted to the FAA and a “No Hazard Determination” obtained prior to the construction start date.

6. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

7. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

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PASSED by the Council of the City of Phoenix this 2nd day of February, 2022.

_____
MAYOR

ATTEST:

_____
Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:
_____
_____

REVIEWED BY:

_____
Jeffrey Barton, City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-44-21-2

PROPERTY LOCATED WITHIN SECTION 3, TOWNSHIP 3 NORTH, RANGE 4 EAST, GILA AND SALT RIVER MERIDIAN, MARCOPA COUNTY, ARIZONA.

LOT 4, AS SHOWN ON THAT CERTAIN PLAT OF KIERLAND PARCELS 4C & 6B, ACCORDING TO BOOK 468, PAGE 47, RECORDS OF MARICOPA COUNTY, ARIZONA.

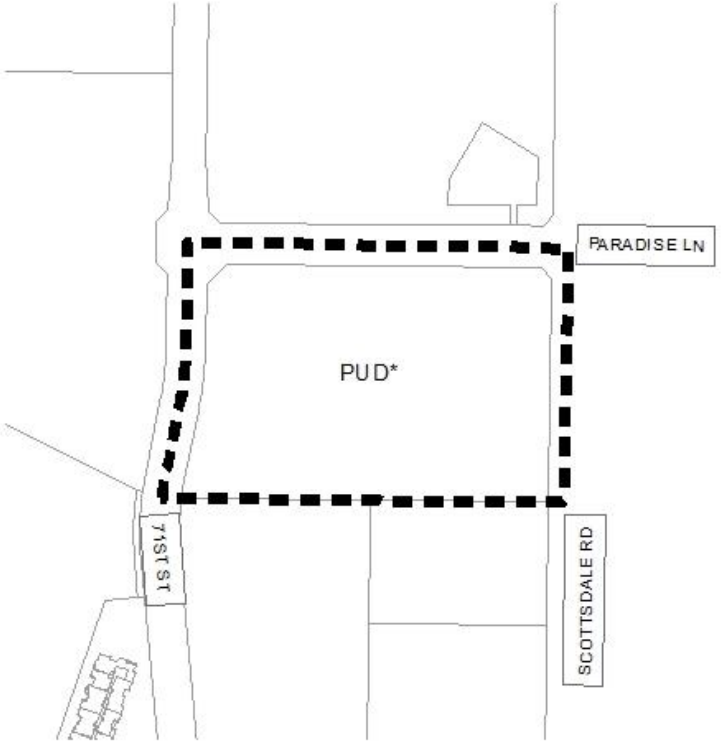
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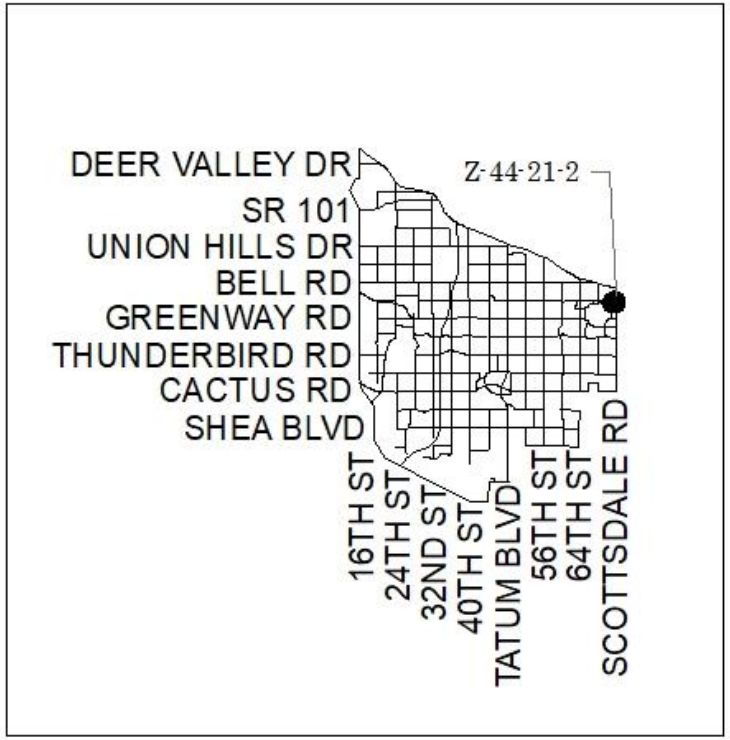
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-44-21-2
Zoning Overlay: N/A
Planning Village: Paradise Valley





NOT TO SCALE

N

Drawn Date: 12/28/2021

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City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 69

Amend City Code - Ordinance Adoption - Rezoning Application Z-66-21-2 - Approximately 600 Feet East of the Northeast Corner of Black Canyon Highway and Sonoran Desert Drive (Ordinance G-6956)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-66-21-2 and rezone the site from PCD NBCOD, approved C-2 or CP M-R PCD NBCOD (Planned Community District, North Black Canyon Overlay District, approved Intermediate Commercial or Commerce Park District, Mid-Rise, Planned Community District, North Black Canyon Overlay District) to R-3A NBCOD (Multifamily Residential, North Black Canyon Overlay District) to remove the PCD designation and allow multifamily residential.

Summary

Current Zoning: PCD NBCOD (Approved C-2 or CP M-R PCD NBCOD)
Proposed Zoning: R-3A NBCOD
Acreage: 17.63 acres
Proposed Use: Multifamily residential

Owner: Lone Mountain Road Investors
Applicant: IDM
Representative: Jason Morris, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The North Gateway Village Planning Committee heard this case on Dec. 9, 2021 and recommended approval, per the staff recommendation by a vote of 4-0.
PC Action: The Planning Commission heard this case on Jan. 6, 2022 and recommended approval, per the North Gateway Village Planning Committee recommendation with two modified stipulations and an additional stipulation by a vote of 8-0.

Location

Approximately 600 feet east of the northeast corner of Black Canyon Highway and Sonoran Desert Drive.
Council District: 2
Parcel Address: N/A

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-66-21-2) FROM PCD NBCOD, APPROVED C-2 OR CP M-R PCD NBCOD (PLANNED COMMUNITY DISTRICT, NORTH BLACK CANYON OVERLAY DISTRICT, APPROVED INTERMEDIATE COMMERCIAL OR COMMERCE PARK, MID-RISE, PLANNED COMMUNITY DISTRICT, NORTH BLACK CANYON OVERLAY DISTRICT) TO R-3A NBCOD (MULTIFAMILY RESIDENTIAL, NORTH BLACK CANYON OVERLAY DISTRICT).

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

SECTION 1. The zoning of a 17.63-acre site located approximately 600 feet east of the northeast corner of the Black Canyon Highway and Sonoran Desert Drive in a portion of Section 14, Township 5 North, Range 2 East, as described more specifically in Exhibit “A,” is hereby changed from “PCD NBCOD (Approved C-2 or CP M-R PCD NBCOD” (Planned Community District, North Black Canyon Overlay District, approved Intermediate Commercial or Commerce Park, Mid-Rise, Planned Community District, North Black Canyon Overlay District) to “R-3A NBCOD” (Multifamily Residential, North Black Canyon Overlay District).

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SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit “B.”

SECTION 3. Due to the site’s specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. The development shall be limited to a maximum of 348 dwelling units.

2. A development shall provide a minimum landscape setback of 10 feet between the shared use path along Skunk Creek Wash and any fencing or buildings on the west side of the site, as approved by the Planning and Development Department.

3. A minimum of 15 percent of the gross site area shall be retained as open space, as approved by the Planning and Development Department.

4. Surface parking shall be located a minimum of 50 feet from the western property line along Skunk Creek Wash, as approved by the Planning and Development Department.

5. All elevations of the building shall contain a minimum of three building materials as well as architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, and/or other overhang canopies, as approved by the Planning and Development Department.

6. All buildings and wall colors and materials shall be in compliance with the North Black Canyon Overlay District with specific regard to colors being muted and blending with, rather than contrasting strongly, the surrounding desert environment, as approved by the Planning and Development Department.

7. A minimum 10-foot-wide public multi-use trail (MUT) shall be constructed within a 30-foot-wide multi-use recreational trail easement (MURTE) along the north side of Sonoran Desert Drive in accordance with Section 429 of the City of Phoenix MAG Supplemental detail, as approved by the Planning and Development Department.

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8. A minimum 10-foot shared use path (SUP) shall be constructed within a 25-footwide public trail easement (PTE) along the east side of Skunk Creek Wash as indicated in Section 429 of the City of Phoenix MAG Supplement, as approved by the Planning and Development Department.

9. Pedestrian pathways and sidewalks shall be shaded a minimum of 75 percent by a structure and/or landscaping at maturity, or a combination of the two, as approved by the Planning and Development Department.

10. Where pedestrian pathways cross drive aisles, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave parking surfaces and drive aisles, as approved by the Planning and Development Department.

11. Accessible pedestrian pathways shall be provided to connect building entrances, public sidewalks, community amenities and the bus stop pad along Sonoran Desert Drive, using the most direct route for pedestrians, as approved by the Planning and Development Department

12. All sidewalks along public streets shall be detached with a minimum 10-foot-wide landscaped strip located between the sidewalk and back of curb and shall include minimum two-inch caliper shade trees planted 20 feet on center or equivalent groupings, as approved by the Planning and Development Department. Where utility conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

13. The developer shall provide secured bicycle parking per Section 1307 of the City of Phoenix Zoning Ordinance. In addition, a minimum of 17 inverted U-bicycle racks shall be provided for guests located near the clubhouse or distributed throughout the site and installed per the requirements of Section 1307.H of the Zoning Ordinance, as approved by the Planning and Development Department.

14. The necessary street right-of-way shall be dedicated, and a bus stop pad constructed per City of Phoenix Standard Detail P1260 along westbound Sonoran Desert Drive, as approved by the Planning and Development Department. The bus stop pad shall be spaced from 29th Avenue according to City of Phoenix Standard P1258.

15. The bus stop pad along Sonoran Desert Drive shall be shaded a minimum of 50 percent using shade trees at full maturity, as approved by the Planning and Development Department. Where utility conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

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16. The applicant shall submit a Traffic Impact Study to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. The developer shall be responsible for traffic signal funding and/or escrow contribution as determined by the approved Traffic Impact Study.

17. Access control for the development site shall be in compliance with the City of Phoenix Street Planning and Design Guideline Standards, as approved by the Street Transportation Department.

18. The developer shall dedicate and construct the west half of 29th Avenue as required by the Traffic Impact Study and Master Street Plans, as approved by the Street Transportation Department.

19. The developer shall dedicate a minimum 70 feet of right-of-way and construct a City classified “A” section roadway for Sonoran Desert Drive, as approved by the Planning and Development Department.

20. The developer shall provide a minimum of three shaded pedestrian connections from the development to the required shared-use path along the east side of Skunk Creek Wash and a minimum of one shaded pedestrian connection from the development to the required multi-use trail along the north side of Sonoran Desert Drive, as approved by the Planning and Development Department.

21. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

22. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeology survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

23. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determine such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

24. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

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25. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of the property the existence and operational characteristics of active mining operations, Lift Station 66, and the North Gateway Solid Waste and Recycling Transfer Facility. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

26. Prior to occupancy, signage must be provided within the development's sales/leasing office (or equivalent signage) that is visible to prospective renters or purchases which discloses the existence and operational characteristics of active mining operations, Lift Station 66, and the North Gateway Solid Waste and Recycling Transfer Facility, as approved by the Planning and Development Department.

27 Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 2nd day of February, 2022.

_____
MAYOR

ATTEST:

_____
Denise Archibald, City Clerk

DRAFT

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:

_____
_____

REVIEWED BY:

_____
Jeffrey Barton, City Manager

Exhibits:
A – Legal Description (2 Pages)
B – Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-66-21-2:

A portion of land being situated within the Southwest quarter of the Southeast quarter of Section 14, Township 5 North, Range 2 East of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at a found 3” brass cap flush accepted as the south quarter corner of said Section 14 from which a found ½” rebar with cap RLS 21081 accepted as the Center of said Section 14 bears North 00°21'59" West, 2645.55 feet;

Thence North 89°38'30" East, 1009.71 feet along the south line of the Southeast quarter of said Section 14 to the POINT OF BEGINNING;

Thence leaving said south line, North 02°49'52" West, 107.92 feet; Thence North 17°58'44" West, 106.34 feet;
Thence North 16°04'14" West, 135.75 feet;

Thence North 24°53'59" West, 66.65 feet;

Thence North 27°12'27" West, 151.95 feet;

Thence North 26°41'39" West, 229.20 feet;

Thence North 42°42'39" West, 234.22 feet;

Thence North 29°09'05" West, 213.01 feet;

Thence North 25°19'17" West, 175.08 feet;

Thence North 27°20'59" West, 70.84 feet to the north line of the Southwest quarter of the Southeast quarter of said Section 14;

Thence along said north line, North 89°35'43" East, 947.89 feet to the northeast corner of the Southwest quarter of said Southeast quarter;

Thence South 00°22'06" East, 1323.84 feet along the east line of the Southwest quarter of said Southeast quarter to the south line of said Section 14;

Thence South 89°38'30" West, 310.10 feet along said south line to the POINT OF BEGINNING.

The above described parcel contains a computed area of 769,058 sq. ft. (17.655 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

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The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

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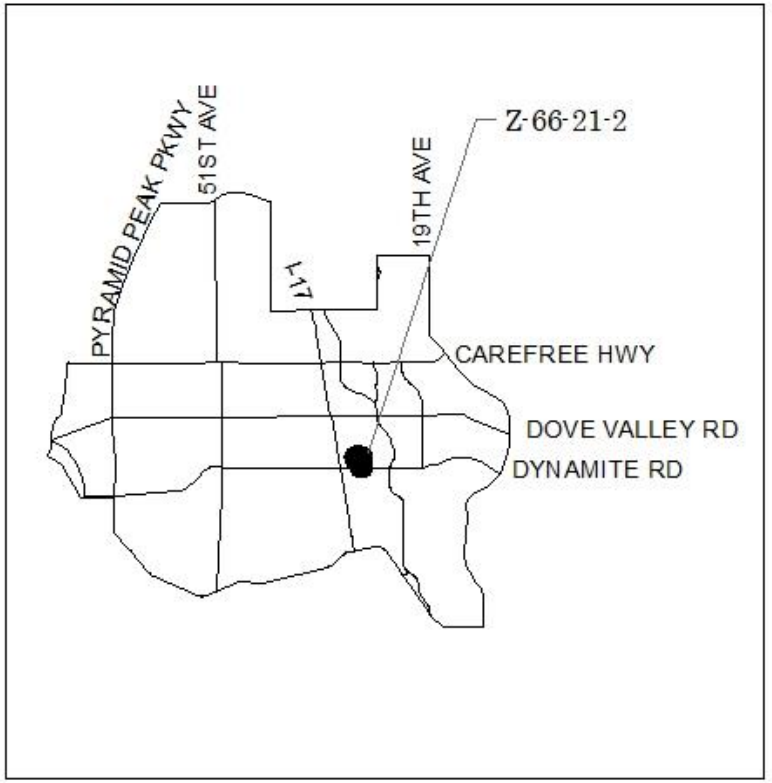
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-66-21-2
Zoning Overlay: North Black Canyon Corridor Plan and Overlay District
Planning Village: North Gateway





NOT TO SCALE

N

Drawn Date: 12/28/2021

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City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 70

Amend City Code - Ordinance Adoption - Rezoning Application Z-65-21-3 - Southwest corner of 17th Street and Bell Road (Ordinance G-6953)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-65-21-3 and rezone the site from R-O (Residential Office) to C-1 (Neighborhood Retail) for a karate studio.

Summary

Current Zoning: R-O
Proposed Zoning: C-1
Acreage: 1.08 acres
Proposed Use: Karate Studio

Owner: A&M Truck and Trailer Repair, LLC
Applicant: Octavian Belostecinic
Representative: Taylor Earl, Earl & Curley

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Paradise Valley Village Planning Committee heard the case on Dec. 6, 2021 and recommended approval, with a modification to a stipulation, by a vote of 12-0.
PC Action: The Planning Commission heard the case on Jan. 6, 2022 and recommended approval, per the Paradise Valley Village Planning Committee recommendation, with an additional stipulation, by a vote of 8-0.

Location

Southwest corner of 17th Street and Bell Road.
Council District: 3
Parcel Addresses: 1675 E. Bell Road

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (Z-65-21-3) FROM R-O (RESIDENTIAL OFFICE) TO C-1 (NEIGHBORHOOD RETAIL)

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

SECTION 1. The zoning of a 1.08-acre site located at the southwest corner of 17th Street and Bell Road, in a portion of Section 3, Township 3 North, and Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "R-O" (Residential Office) to "C-1" (Neighborhood Retail).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit "B."

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. No vehicular access shall be provided along 17th Street, as approved by the Planning and Development Department.

DRAFT

2. The developer shall construct a minimum 5-foot-wide attached sidewalk along Bell Road and planted to the following standards, as approved by the Planning and Development Department.

    a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 25 feet on center or in equivalent groupings that provide shade to a minimum 75 percent.

    b. Drought tolerant vegetation to achieve 75 percent live coverage.

    Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

3. The required landscape setback along the south property boundary shall be planted with minimum 2-inch caliper trees placed 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

4. A clearly defined, accessible pedestrian pathway shall be provided to connect building entrances, bus stop pads, and public sidewalks, to 17th Street using the most direct route for pedestrians, as approved by the Planning and Development Department.

5. The development shall be in general conformance with the building elevations date stamped September 29, 2021, as approved by the Planning and Development Department.

6. A minimum of four bicycle parking spaces shall be provided through Inverted U and/or artistic racks dispersed throughout the site and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.

7. Where pedestrian pathways cross drive aisles, they shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.

8. The developer shall dedicate a minimum 5-foot-wide sidewalk easement and construct the south side of Bell Road, as approved by the Planning and Development Department.

9. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by

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the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

10. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to final site plan approval, as per plans approved by the Planning and Development Department.

11. The property owner shall record documents that disclose the existence, and operational characteristics of Deer Valley Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

12. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

13. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 2nd day of February, 2022.

_____
MAYOR

ATTEST:

_____

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Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:

_____
_____

REVIEWED BY:

_____
Jeffrey Barton, City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-65-21-3

A RE-PLAT OF LOTS 20, 21 AND 22 OF “NORTHERN HILLS AMENDED”, RECORDED IN BOOK 61 OF MAPS PAGE 17, M.C.R., LOCATED IN A PORTION OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 3 NORTH, RANGE 3 EAST OF GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

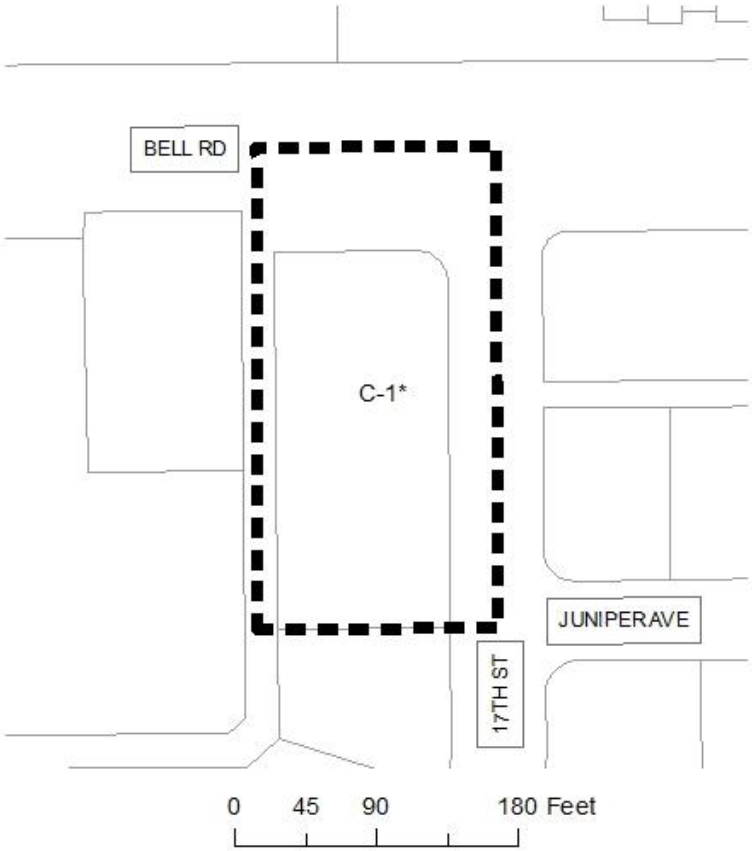
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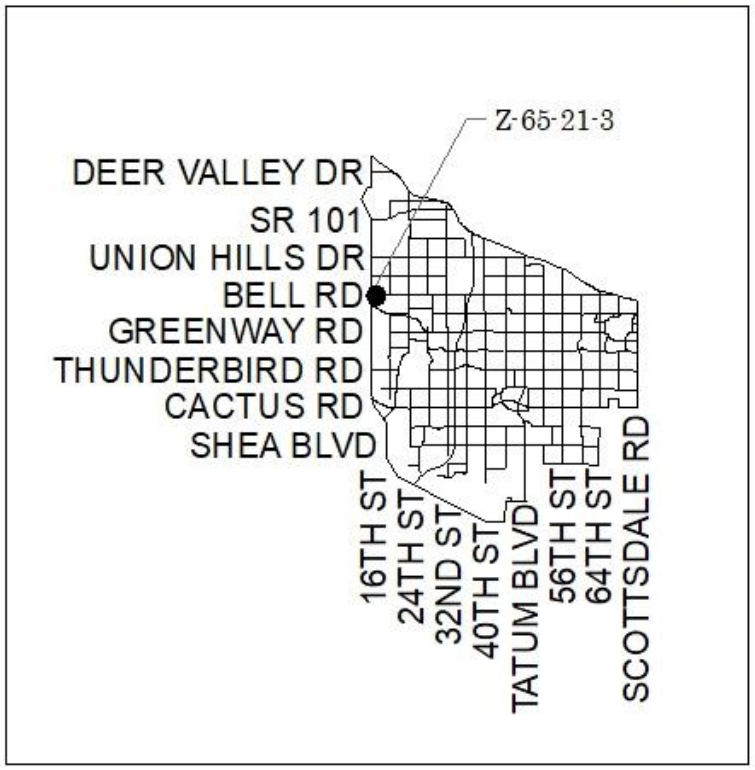
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - -

Zoning Case Number: Z-65-21-3
Zoning Overlay: N/A
Planning Village: Paradise Valley





NOT TO SCALE

N

Drawn Date: 12/28/2021

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City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** *71

REQUEST TO CONTINUE (SEE ATTACHED MEMO) Amend City Code - Ordinance Adoption - Rezoning Application Z-47-21-4 - Approximately 400 Feet Northwest of the Northwest Corner of 33rd Avenue and Grand Avenue (Ordinance G-6952)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-47-21-4 and rezone the site from C-3 (General Commercial District) to C-3 DNS/WVR (General Commercial District, Density Waiver) to allow multifamily residential.

Summary

Current Zoning: C-3
Proposed Zoning: C-3 DNS/WVR
Acreage: 4.88 acres
Proposed Use: Multifamily residential

Owner: P WEST PROPERTIES XX, LLC
Applicant: Jason Morris, Withey Morris, PLC
Representative: Jason Morris, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Alhambra Village Planning Committee heard this case on Sept. 28, 2021 and recommended approval, per the staff recommendation with an additional stipulation by a vote of 12-0.
PC Action: This case was continued by the Planning Commission on Oct. 7, 2021, Nov. 4, 2021, and Dec. 2, 2021. The Planning Commission heard this case on Jan. 6, 2022 and recommended approval, per the Alhambra Village Planning Committee recommendation, with an additional stipulation by a vote of 8-0.

Location

Approximately 400 feet northwest of the northwest corner of 33rd Avenue and Grand Avenue.
Council District: 4
Parcel Address: 3400 Grand Ave.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Alan Stephenson
Deputy City Manager

Date: February 1, 2022

From: Joshua Bednarek
Planning and Development Deputy Director

Subject: CONTINUANCE OF ITEM 71 ON THE FEBRUARY 2, 2022 FORMAL AGENDA – Z-47-21-4 (G-6952) – APPROXIMATELY 400 FEET NORTHWEST OF THE NORTHWEST CORNER OF 33RD AVENUE AND GRAND AVENUE

Item 71, rezoning application Z-47-21-4 is a request to rezone 4.88 acres property located approximately 400 feet northwest of the northwest corner of 33rd Avenue and Grand Avenue from C-3 to C-3 DNS/WVR to allow for multifamily residential with a density waiver.

This request is to continue the item to the April 6, 2022 City Council formal meeting. The applicant has requested the continuance to address unresolved issues associated with the property. Staff recommends this case be continued to the April 6, 2022 meeting.

Approved: _____
Alan Stephenson, Deputy City Manager

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (Z-47-21-4) FROM C-3 (GENERAL COMMERCIAL DISTRICT) TO C-3 DNS/WVR (GENERAL COMMERCIAL DISTRICT, DENSITY WAIVER).

_____

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

SECTION 1. The zoning of a 4.88-acre site located approximately 400 feet northwest of the northwest corner of 33rd Avenue and Grand Avenue, in a portion of Section 26, Township 2 North and Range 2 East, as described more specifically in Exhibit “A,” is hereby changed from “C-3” (General Commercial District) to “C-3 DNS/WVR” (General Commercial District with a density waiver).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit “B.”

SECTION 3. Due to the site’s specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations,

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violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. The development shall utilize the standards contained in the R-5 (Multifamily Residence District) zoning district development standard, except as modified by the below stipulations and as approved by the Planning and Development Department.

2. A minimum of 6 percent of the gross project area shall be retained as open space and be shaded to a minimum 50 percent by minimum 2-inch caliper large canopy shade trees and architectural shade such as ramadas that shall account for no more than 25 percent of the required shade area, as approved by the Planning and Development Department.

3. The developer shall replenish the existing landscape planters adjacent to Grand Avenue per the C-3 streetscape landscape standards for planting type, size and quantity contained in Chapter 624.E.4.e of the Phoenix Zoning Ordinance, unless underground utilities and/or drainage are found to conflict, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with the creation of a comfortable pedestrian environment.

4. The developer shall incorporate and maintain bicycle infrastructure as described below and as approved by the Planning and Development Department.

    a. Secure bicycle parking for residents at a rate of 0.25 spaces per dwelling unit, up to a maximum of 50 spaces.

    b. Inverted-U style bicycle racks with capacity for a minimum of 10 bicycles for guests shall be distributed throughout the site near the primary pedestrian entrance(s) or amenity area.

    c. A bicycle repair station (“fix it station”) shall be provided in an area of high visibility such as near a central amenity area. The repair station shall include: standard repair tools affixed to the station, a tire gauge and pump affixed to the base of the station or the ground, and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.

5. The developer shall provide a system of internal, clearly defined pedestrian pathways including the following elements, as approved by the Planning and Development Department:

    a. Connect all building entrances, exits, and amenity areas, to all public sidewalks, by a direct route.

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b. Where pedestrian pathways cross drive-aisles, the crossing shall visually contrast with parking and drive aisle surfaces.

6. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

7. All right-of-way improvements and access control shall be reviewed, permitted and approved by ADOT.

8. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

9. The developer shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.

10. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.

11. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

12. The developer shall provide a "tot lot" as an amenity in a centrally located open space, as approved by the Planning and Development Department.

13. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the

DRAFT

decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 2nd day of February, 2022.

_____
MAYOR

ATTEST:

_____
Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:
_____
_____

REVIEWED BY:

_____
Jeff Barton, City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-47-21-4

That portion of the Northwest quarter of the Northwest quarter of Section 26, Township 2 North, Range 2 East of the Gila and Salt River Base and Meridian described as follows;

Commencing at the Northeast Corner of the Northwest quarter of the Northwest quarter of Section 26.

Thence west along the north line thereof 175 feet;

Thence South 0 degrees 20 minutes West, parallel with the East line of the Northwest Quarter of the Northwest quarter of Section 26. a distance of 183.00 feet to the True Point of Beginning;

Thence West parallel with the North Line thereof a distance of 152.00 feet to the southwest corner of the North 183 feet of the East 327 of the Northwest Quarter of the Northwest quarter of Section 26.

Thence South 45 degrees 18 minutes West a distance of 86.60 feet; Thence South 0 degrees 20 Minutes West a distance of 198.69 feet;

Thence South 45 degrees 18 Minutes West 309.77 feet to a point on the Northeasterly right of way line of Grand Avenue (said right of way line being 40 feet Northeasterly of the centerline of Grand Avenue as measures at right angles)

Thence South 44 degrees 42 Minutes East along the Northeasterly right of way of Grand Avenue, a distance of 400.26 feet;

Thence North 45 degrees 18 Minutes East 186.70 feet to a point on the South line of the North 825.00 feet of the Northwest quarter of the Northwest quarter of Section 26.

Thence East along said South line 145.81 feet to a point on the West Line of the East 33.00 feet of the Northwest quarter of the Northwest quarter of section 26. Thence North 0 degrees 30 Minutes East along said west line 32.00 feet;

Thence West parallel to the North line of the Northwest quarter of the Northwest of Section 26, a distance of 142.00 feet to the Southwest corner of the North 793.00 feet of the East 175.00 feet of the Northwest quarter of the Northwest quarter of Section 26;

Thence North 0 degrees 20 minutes East parallel to the East line of the Northwest quarter of the Northwest quarter of Section 26, a distance of 610.01 feet to the True Point of Beginning;

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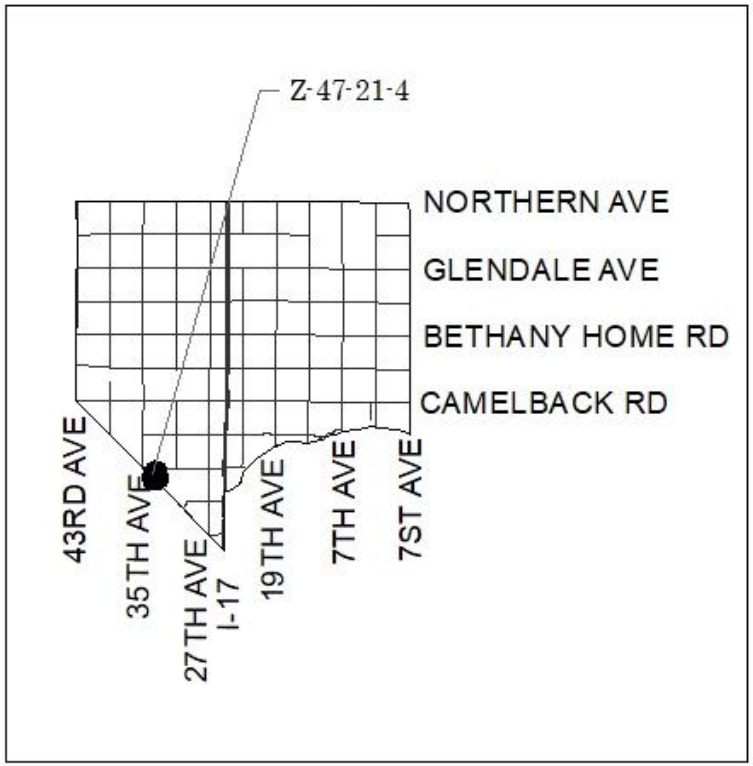
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - -

Zoning Case Number: Z-47-21-4
Zoning Overlay: N/A
Planning Village: Alhambra





NOT TO SCALE

N

Drawn Date: 9/30/2021

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City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 72

Amend City Code - Ordinance Adoption - Rezoning Application Z-61-21-6 - Approximately 150 Feet North of the Northeast Corner of 44th Street and Earll Drive (Ordinance G-6955)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-61-21-6 and rezone the site from R1-10 (Single-Family Residence District) to R-O (Residential Office - Restricted Commercial District) to allow a residential office.

Summary

Current Zoning: R1-10
Proposed Zoning: R-O
Acreage: 1.15 acres
Proposal: Residential office

Owner: 1024 Investments, LLC and Hen Consulting
Applicant: Brendan Morrow
Representative: Rodney Q. Jarvis, Earl & Curley, P.C.

Staff Recommendation: Approval, subject to stipulations.
VPC Action: This case was continued by the Camelback East Village Planning Committee on Nov. 2, 2021. The Camelback East Village Planning Committee heard this case on Dec. 7, 2021 and recommended approval, per the staff recommendation, by a vote of 14-0.
PC Action: The Planning Commission heard this case on Jan. 6, 2022, and recommended approval, per the Camelback East Village Planning Committee recommendation with an additional stipulation, by a vote of 8-0.

Location

Approximately 150 feet north of the northeast corner of 44th Street and Earll Drive.
Council District: 6
Parcel Address: 3121 and 3125 N. 44th St.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-61-21-6) FROM R1-10 (SINGLE-FAMILY RESIDENCE DISTRICT) TO R-O (RESIDENTIAL OFFICE – RESTRICTED COMMERCIAL DISTRICT).

_____

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

SECTION 1. The zoning of a 1.15-acre site located approximately 150 feet north of the northeast corner of 44th Street and Earll Drive in a portion of Section 30, Township 2 North, Range 4 East, as described more specifically in Exhibit “A,” is hereby changed from “R1-10” (Single-Family Residence District) to “R-O” (Residential Office – Restricted Commercial District).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit “B.”

SECTION 3. Due to the site’s specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations,

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violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. The development shall be in general conformance with the site plan and elevations date stamped September 2, 2021, with specific regard to the following and as approved by the Planning and Development Department.

    a. There shall be a maximum building height of 1 story and 15 feet.

    b. The development shall be at a scale and intensity that reflects adjacent residential uses and incorporates architectural features and detailing that are consistent and compatible with existing residential uses in the surrounding area.

2. There shall be a minimum 20-foot landscape setback along 44th Street for both properties.

3. The required landscape setback along 44th Street shall include large canopy shade trees 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department. Twenty-five percent of the trees shall be minimum four-inch caliper and 75 percent of the trees shall be minimum three-inch caliper. Five, five-gallon shrubs per tree, and additional shrubs or live groundcover shall provide minimum 75 percent live cover at maturity, as approved by the Planning and Development Department.

4. The public sidewalk along 44th Street shall be detached with a landscape strip located between the sidewalk and back of curb following the most recent Cross Section of the Street Classification Map and planted to the following standards, as approved by the Planning and Development Department.

    a. Minimum 2-inch caliper shade trees that provide a minimum 75 percent shade at maturity. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

    b. Drought tolerant vegetation maintained at a maximum mature height of 24 inches and achieve minimum 75 percent live coverage.

5. The required landscape setback along the northern property line of the northern parcel shall be planted with minimum 2-inch caliper shade trees placed 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

6. A minimum 5-foot landscape setback shall be required along the eastern property line. This setback shall be planted with minimum 8-foot-tall shrubs or plants to provide a tall vegetative buffer from adjacent single-family residences to the east, as approved by the Planning and Development Department.

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7. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper drought-tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25 percent shade at maturity, as approved by Planning and Development Department. Shade may be provided with a combination of trees and structural shade.

8. There shall be no internally lit signs on the site. Signage shall be approved by the Planning and Development Department.

9. A minimum of four bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near building entrances for each of the existing buildings. These parking spaces shall be installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.

10. Clearly defined, accessible pedestrian pathways shall be provided to connect building entrances and public sidewalks, using the most direct route for pedestrians, as approved by the Planning and Development Department.

11. Where pedestrian pathways cross drive aisles, they shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.

12. The developer shall dedicate a minimum 10-foot-wide sidewalk easement and construct the east side of 44th Street, as approved by the Planning and Development Department.

13. The developer shall construct a minimum 5-foot-wide detached sidewalk and a minimum 5-foot-wide landscape area located between the back of curb and sidewalk, as approved by the Planning and Development Department.

14. The developer shall record a cross-access agreement for any shared access drives along 44th Street, as approved by the Planning and Development Department.

15. There shall be a maximum of one driveway along 44th Street.

16. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.

17. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

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18. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 2nd day of February, 2022.

_____
MAYOR

ATTEST:

_____
Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:
_____
_____

REVIEWED BY:

_____
Jeffrey Barton, City Manager

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Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-61-21-6

LEGAL DESCRIPTION
A PORTION OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 2 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

LEGAL DESCRIPTION – LOT 29
THE SOUTH 70 FEET OF LOT 29 AND THE NORTH 60 FEET OF LOT 30, OF SUNBEAM UNIT NO. 2, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 42 OF MAPS, PAGE 33.

LEGAL DESCRIPTION – LOT 28
LOT 28 AND THE NORTH 30 FEET OF LOT 29, SUNBEAM UNIT NO. 2, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 42 OF MAPS, PAGE 33.

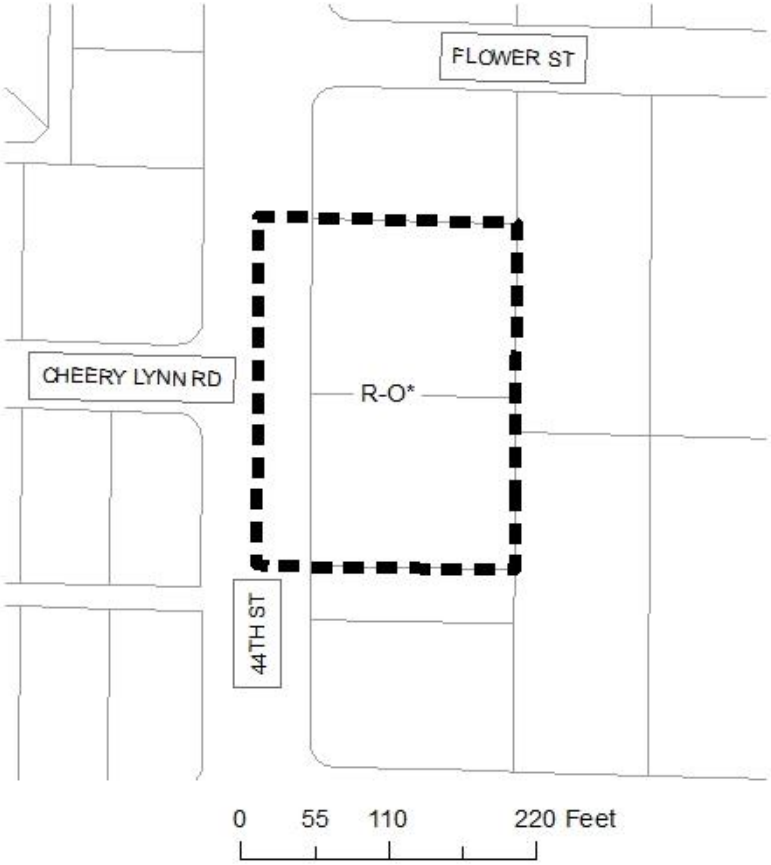
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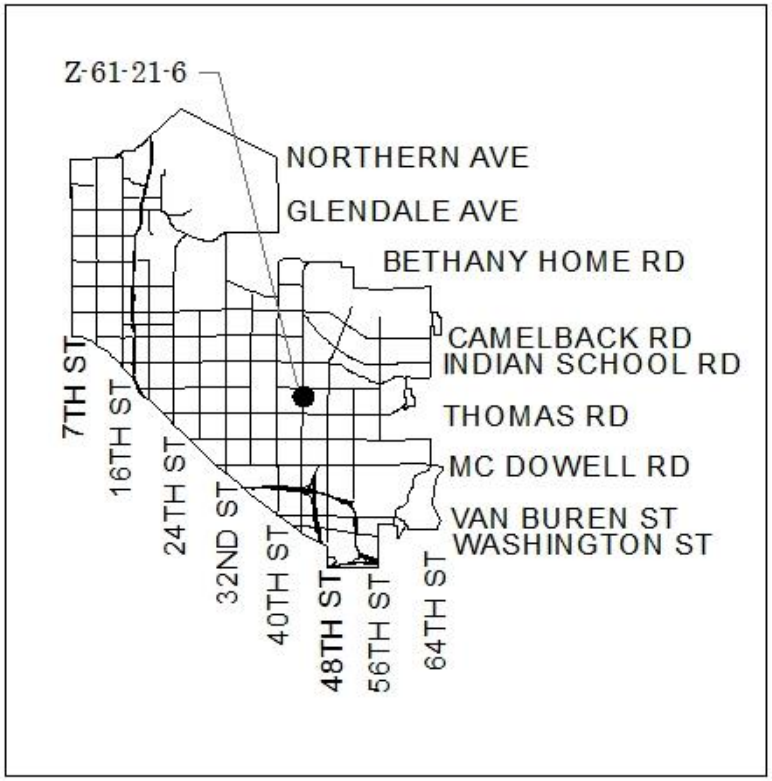
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-61-21-6
Zoning Overlay: N/A
Planning Village: Camelback East





NOT TO SCALE

N

Drawn Date: 12/28/2021

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City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 73

Public Hearing - Amend City Code - Ordinance Adoption - Walkable Urban Code Expansion and Fee Schedule Update - Z-TA-3-19 (Ordinance G-6962)

Request to hold a public hearing on a proposed text amendment Z-TA-3-19 and to request City Council approval per the Planning Commission recommendation which amends Chapter 3, Chapter 5, and Chapter 13 of the Zoning Ordinance to expand the Walkable Urban Code boundaries and amends the Zoning Fee Schedule.

Summary

Application: Z-TA-3-19
Proposal: Amend Chapter 3 (Decision Making and Administrative Bodies), Chapter 5 (Development Review Procedures) and Chapter 13 (Walkable Urban Code) of the Zoning Ordinance to expand the WU Code boundaries citywide, including updates to clarify relevant policy plans, clarification of WU Code process and procedure, and updating general lot standards relevant to the expansion; and amend the Zoning Fee Schedule to include fees for WU Code Transect Districts, Downtown Code-Character Areas, and update fees for new processes.

Applicant: City of Phoenix, Planning Commission
Representative: City of Phoenix, Planning and Development Department

Concurrence/Previous Council Action

Staff Recommendation: Staff recommends approval of Z-TA-3-19, per the Addendum B Staff Report (**Attachment G**).
VPC Action: The request was heard by all 15 Village Planning Committees (VPCs). Four VPCs recommended approval, per the Addendum A Staff Report; two VPCs recommended approval, per the Addendum A Staff Report with a modification; and nine VPCs recommended denial, as reflected in **Attachments D and F**.
PC Action: The Planning Commission heard this case on Jan. 6, 2022, and recommended approval, per the Addendum B Staff Report, by a vote of 8-0, as reflected in the Planning Commission Summary (**Attachment H**).

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE

ORDINANCE G-

AN ORDINANCE AMENDING PORTIONS OF THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX BY AMENDING CHAPTER 3 (DECISION MAKING AND ADMINISTRATIVE BODIES), CHAPTER 5 (DEVELOPMENT REVIEW PROCEDURES) AND CHAPTER 13 (WALKABLE URBAN CODE) OF THE ZONING ORDINANCE TO EXPAND THE WU CODE BOUNDARIES CITYWIDE, INCLUDING UPDATES TO CLARIFY RELEVANT POLICY PLANS, CLARIFICATION OF WU CODE PROCESS AND PROCEDURE, AND UPDATING GENERAL LOT STANDARDS RELEVANT TO THE EXPANSION; AND AMEND THE ZONING FEE SCHEDULE TO INCLUDE FEES FOR WU CODE TRANSECT DISTRICTS, DOWNTOWN CODE-CHARACTER AREAS, AND UPDATE FEES FOR NEW PROCESSES.

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

SECTION 1. That Chapter 3, Section 309.A (Design Review Committee) is amended to read as follows:

A. **Powers and Duties.** The Design Review Committee shall have the power and duty under the provisions of these regulations to hear specific items appealed by the development review applicant contesting decisions made by the Planning and Development Department regarding the interpretation and implementation of design guidelines and architectural diversity standards, to review and approve Design Alternatives and Sustainability Bonuses for properties within the boundaries of the Downtown Code, and to review and approve design alternatives and modification to PROPERTIES WITH ~~standards within the boundaries of the~~ Walkable Urban Code ZONING.

***

SECTION 2. That Chapter 5, Section 507.G (Design Alternatives and Sustainability Bonus Appeals), is amended to read as follows:

G. **Design Alternatives and Sustainability Bonus Appeals**. A Design Alternative or Sustainability Bonus Appeal is a deviation from the prescribed standards and design guidelines. Design Alternatives and Sustainability Bonus Appeals apply to properties within the boundary of the Downtown Code, which would result in a furtherance of the goals and policies of the Downtown Phoenix Plan and the specific intent of the subject Character Area as approved by the DRC. Design Alternatives apply to properties ~~within the boundaries of the~~ WITH Walkable Urban Code ZONING, which would result in a furtherance of the goals and policies of ~~the Gateway, Eastlake-Garfield, Midtown, Uptown and Solano~~ Transit Oriented ~~District (TOD)~~ Policy Plans OR OTHER RELEVANT POLICY PLANS.

***

SECTION 3. That Chapter 5, Section 507.G.1.c, is amended to read as follows:

c. A narrative statement describing the justification for the Design Alternative and the manner in which the proposed Design Alternative would result in a furtherance of the goals and policies of the Downtown Phoenix Plan, ~~or of the Gateway, Eastlake-Garfield, Midtown, Uptown and Solano TOD~~ TRANSIT ORIENTED Policy Plans, OR OTHER RELEVANT POLICY PLANS and would satisfy the findings required for approval;

***

SECTION 4. That Chapter 5, Section 507.G.4.c, is amended to read as follows:

c. That the project demonstrates design excellence by addressing Design Alternatives that demonstrate conformance with the intent of the Walkable Urban Code as set forth in Section 1301.B and in general conformance with the policies contained within the ~~Gateway, Eastlake-Garfield, Midtown, Uptown and Solano TOD~~ TRANSIT ORIENTED Policy Plans OR OTHER RELEVANT POLICY PLANS. The modifications must meet the standards set forth in Section 1313.

***

SECTION 5. That Chapter 13, Section 1301.B (Purpose and Intent), is amended to read as follows:

B. **Purpose and Intent.** The ~~primary~~ purposeS of this chapter ~~is~~ ARE to implement the vision and policies of ~~the~~ Transit Oriented ~~District (TOD)~~ Policy Plans ~~for~~

~~Gateway, Eastlake-Garfield, Midtown, Uptown and Solano~~; encourage an appropriate mixture and density of activity ~~around transit stations~~; to increase transit ridership in general and along ~~the Central Phoenix/East Valley Light Rail Corridor in particular~~ TRANSIT CORRIDORS; ~~and~~ to promote multiple modes of transportation;~~. The secondary purpose of the Code~~ to improve pedestrian safety from crime~~,~~; to avoid or mitigate nuisances~~,~~; to promote ~~the~~ public health~~,~~; to decrease automobile-dependence~~,~~; and to mitigate the effects of congestion and pollution. These regulations seek to achieve these purposes by providing the following:

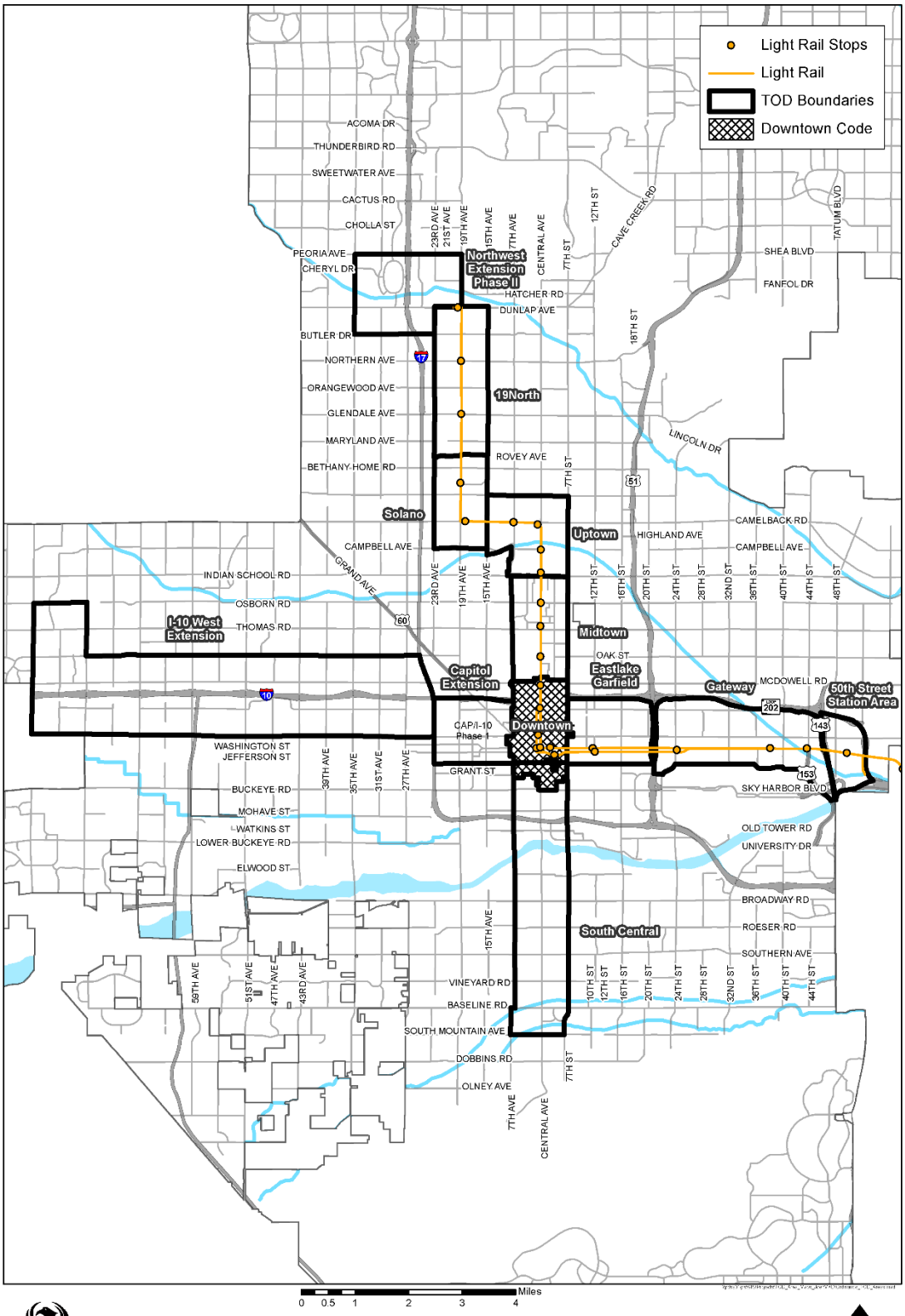
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SECTION 6. That Chapter 13, Section 1301.C (Applicability), is amended to read as follows:

C. **Applicability.** The Walkable Urban Code may be applied and is limited to land uses, subdivisions, and development within ~~the Reinvent PHX Transit Oriented District Policy Plans~~ APPROVED TRANSIT ORIENTED DEVELOPMENT (TOD) DISTRICT BOUNDARIES AS DEPICTED ON THE TRANSIT ORIENTED COMMUNITIES MAP ~~for Gateway, Eastlake-Garfield, Midtown, Uptown and Solano. The boundaries of these areas are shown in the District Maps located in the Transit Oriented District Policy Plans for Gateway, Eastlake-Garfield, Solano, Midtown and Uptown~~.

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Transit Oriented Communities



1. ~~When in conflict, text and numerical metrics in tables shall take precedence over diagrams and illustrations.~~ WALKABLE URBAN CODE TRANSECT DISTRICTS ARE ZONING DISTRICTS AND MAY BE APPLIED FOR THROUGH THE PROCEDURES OUTLINED IN SECTION 506.B.

2. The Zoning Ordinance of the City of Phoenix applies in its entirety for properties subject to Chapter 13 except as follows:

   a. ~~If a conflict occurs between requirements of the WU Code and the City of Phoenix Zoning Ordinance, the requirements of the WU Code shall prevail.~~ PROPERTIES WITH HISTORIC PRESERVATION (HP) ZONING ARE SUBJECT TO THE PROVISIONS OF CHAPTER 8, HISTORIC PRESERVATION. IN THE EVENT OF A CONFLICT BETWEEN THE PROVISIONS OF CHAPTER 8 AND CHAPTER 13, THE PROVISIONS OF CHAPTER 8 SHALL PREVAIL.

   b. ~~Properties with Historic Preservation (HP) zoning are subject to the provisions of Chapter 8, Historic Preservation. In the event of a conflict between the provisions of Chapter 8 and Chapter 13, the provisions of Chapter 8 shall prevail.~~ ~~IF A CONFLICT OCCURS BETWEEN REQUIREMENTS OF THE WALKABLE URBAN CODE AND THE REMAINDER OF THE CITY OF PHOENIX ZONING ORDINANCE, THE REQUIREMENTS OF THE WALKABLE URBAN CODE SHALL PREVAIL.~~ THE WALKABLE URBAN CODE DOES NOT ELIMINATE ANY OVERLAY ZONING DISTRICT, REDEVELOPMENT AREA, SPECIAL PLANNING DISTRICT, OR SPECIFIC PLAN. WHERE CONFLICTS OCCUR BETWEEN THE REQUIREMENTS OF THE WALKABLE URBAN CODE AND OVERLAY ZONING DISTRICTS, REDEVELOPMENT AREAS, SPECIAL PLANNING DISTRICTS, OR SPECIFIC PLANS, THE REQUIREMENTS OF THE OVERLAY ZONING DISTRICT, REDEVELOPMENT AREA, SPECIAL PLANNING DISTRICT, OR SPECIFIC PLAN SHALL APPLY.

   C. IF A CONFLICT OCCURS BETWEEN REQUIREMENTS OF THE WALKABLE URBAN CODE AND THE REMAINDER OF THE CITY OF PHOENIX ZONING ORDINANCE, THE REQUIREMENTS OF THE WALKABLE URBAN CODE SHALL PREVAIL.

3. WHEN IN CONFLICT, TEXT AND NUMERICAL METRICS IN TABLES SHALL TAKE PRECEDENCE OVER DIAGRAMS AND ILLUSTRATIONS.

***

SECTION 7. That Chapter 13, Section 1303.A (General Lot Standards), is amended to read as follows:

A. **General Lot Standards.**

1. ~~The single-family attached development option (SFA) is allowed in all transect districts except T3:2 and must meet sections 608.F.8 and 615, Table B.~~SUBDIVISIONS SHALL COMPLY WITH DEVELOPMENT STANDARDS PER THIS CHAPTER, INCLUDING FRONTAGE STANDARDS, FOR ALL EXISTING AND NEWLY CREATED LOTS ABUTTING PUBLIC STREETS, PRIVATE ACCESSWAYS, AND PRIVATE DRIVEWAYS, WITH THE FOLLOWING CAVEATS:

    a. A DEVELOPMENT MAY INSTEAD UTILIZE THE SINGLE-FAMILY ATTACHED DEVELOPMENT OPTION STANDARDS PER SECTION 608.F.8 AND SECTION 614, TABLE B, COLUMN D (EXCEPT FOR THE DENSITY, WHICH IS NOT RESTRICTED) IF IT MEETS ALL THREE OF THE FOLLOWING CONDITIONS:

        (1) THE DEVELOPMENT CONSISTS SOLELY OF ATTACHED DWELLING UNITS AND ALLOWABLE ACCESSORY USES;

        (2) THE DEVELOPMENT IS LOCATED WITHIN THE APPLICABLE AREA FOR THE SINGLE-FAMILY ATTACHED DEVELOPMENT OPTION OR THE INFILL DEVELOPMENT DISTRICT AS DEPICTED ON THE MAP PROVIDED IN SECTION 608.F.8; AND

        (3) THE DEVELOPMENT IS LOCATED IN ANY TRANSECT OTHER THAN T3.

    b. ALL SUBDIVISIONS MUST COMPLY WITH THE REQUIREMENTS OF THE SUBDIVISION ORDINANCE (CHAPTER 32 OF THE CITY CODE), AS MAY BE MODIFIED BY THE SUBDIVISION COMMITTEE TO FURTHER THE GOALS OF THE WALKABLE URBAN CODE.

2. ~~Development in T4, T5 and T6 shall follow the same setback and stepback standards as the single-family attached development option. If development is adjacent to a single-family zoning district (Sections 611, 613) or historic preservation designated property or district the following additional requirements shall apply:~~ ALL DEVELOPMENTS ADJACENT TO SINGLE-FAMILY ZONING DISTRICTS SHALL FOLLOW THE SAME SETBACK AND STEPBACK STANDARDS AS THE SINGLE-FAMILY ATTACHED DEVELOPMENT OPTION (SECTION 614, TABLE B, COLUMN D); WITH ADDITIONAL REQUIREMENTS AS FOLLOWS:

a. ~~Minimum ten-foot landscape setback, except for single-family detached dwellings.~~ STEPBACK PROVISION SHALL NOT EXCEED MAXIMUM 75-FOOT SETBACK FROM REAR AND SIDE PROPERTY LINES FOR BUILDING HEIGHT BEFORE MAXIMUM HEIGHT ALLOWED.

b. ~~Stepback provision shall not exceed maximum 75-foot setback from rear and side property lines for building height before maximum height allowed.~~ FOR ALL DEVELOPMENT ABUTTING A HISTORIC PRESERVATION DESIGNATED PROPERTY OR DISTRICT, A MINIMUM TEN-FOOT LANDSCAPE SETBACK SHALL BE PROVIDED.

c. NO STEPBACK PROVISIONS OR LANDSCAPE SETBACKS ARE REQUIRED WHERE THE DEVELOPMENT ABUTS A PERMANENT OPEN SPACE AT LEAST 40 FEET IN DEPTH, SUCH AS A WASH, PRESERVE, PARK, EXISTING GOLF COURSE, OR DEDICATED OPEN SPACE.

****

6. **~~Primary~~ Frontages**. Lot lines abutting a right-of-way, PRIVATE ACCESSWAY, OR PRIVATE DRIVEWAY are designated as primary frontage lineS or secondary frontage lineS as follows:

a. For lots abutting a right-of-way, PRIVATE ACCESSWAY, OR PRIVATE DRIVEWAY along a single lot line, the abutting lot line is designated the primary frontage.

b. For lots abutting MULTIPLE rights-of-way, PRIVATE ACCESSWAYS, OR PRIVATE DRIVEWAYS ~~along multiple streets right-of-way~~, primary frontage is designated by the Planning and Development Department, AND all remaining frontages are designated secondary frontages.

****

SECTION 8. That Chapter 13, Section 1304.F.2 (Building and Shade), is amended to read as follows:

2. Developments should include shading along their entire ~~right-of-way~~ frontage, excluding driveways, loading, and service berths.

***

SECTION 9. That Chapter 13, Section 1305.A (Applicability), is amended to read as follows:

A. **Applicability**. Standards and frontage types in this section regulate the area between the property line and the front facade of a building in order to support an urban, pedestrian and transit oriented environment ~~within the boundaries of the WU Code~~.

***

SECTION 10. That Chapter 13, Section 1306.A (Applicability), is amended to read as follows:

A. **Applicability**. The Land Use Matrix in Table 1306.1 shall apply to all PROPERTIES WITH WALKABLE URBAN CODE ZONING ~~land uses within the WU Code boundaries~~.

***

SECTION 11. That Chapter 13, Section 1306.H.1.b, is amended to read as follows:

b. Allowed with use permit if property outside the areas noted above ~~but within the Transit District Policy Plans for Gateway, Eastlake-Garfield, Midtown, Uptown and Solano~~.

***

SECTION 12. That Chapter 13, Section 1310.A (Open Space Guidelines), is amended to read as follows:

A. **Open Space Guidelines**

1. Parcels zoned T3 are exempt from required public OPEN space improvements.

2. Open space requirements for ~~commercial, nonresidential and mixed-use development~~ DEVELOPMENTS WITHIN THE T4, T5, AND T6 TRANSECTS ARE as follows:

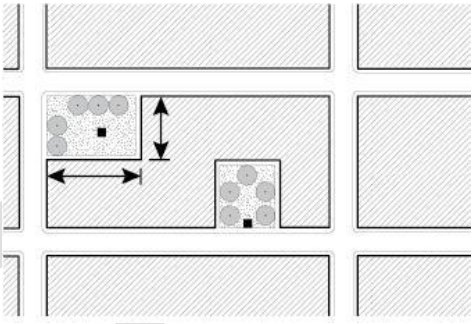
    a. For sites of one gross acre or larger, minimum open space of at least five percent of the gross ~~lot~~ SITE area shall be required. FOR DEVELOPMENTS UTILIZING THE SINGLE-FAMILY ATTACHED DEVELOPMENT OPTION STANDARDS IN ACCORDANCE WITH SECTION 1303.A.1.A, OPEN SPACE SHALL BE PROVIDED AS REQUIRED BY SECTION 614, TABLE B, COLUMN D, REGARDLESS OF LOT SIZE.

***

SECTION 13. That Chapter 13, Section 1310, Table 1310.1 (Public Space Type Guidelines), is amended to read as follows:

Table 1310.1 Public OPEN Space Type Guidelines

PUBLIC OPEN SPACES	
Transect Zone	T4, T5, T6
Size	Five percent of the gross site area above one acre.*
Edge Condition	One side minimum fronting a thoroughfare or pedestrian way.
Surface	Paved and landscaped.
Shade and Landscaping	50 percent shade provided by trees. Ground cover and shrubs: Should be provided in areas with no pavement or structures.



*SINGLE-FAMILY ATTACHED DEVELOPMENTS MUST PROVIDE OPEN SPACE AS REQUIRED PER SECTION 1310.A.2.A.

***

SECTION 14. That Chapter 13, Section 1311.A.1 (General Considerations), is amended to read as follows:

c. Walking and bicycling should be encouraged ~~within the Gateway, Eastlake-Garfield, Midtown, Uptown and Solano Districts~~, particularly in support of transit services, TRANSIT ORIENTED POLICY PLANS, AND OTHER RELEVANT POLICY PLANS:

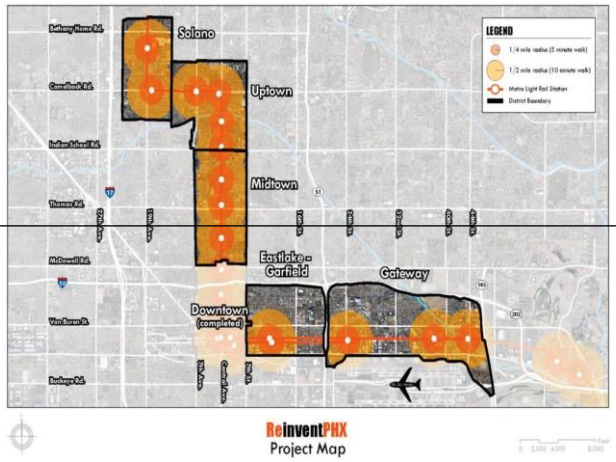
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SECTION 15. That Chapter 13, Section 1313.D.3.a, is amended to remove the map and read as follows:

a. An approval from the DRC shall be included on the final site plan.

~~Transit Oriented Development Districts Map~~

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SECTION 16. That Appendix A (Zoning Fee Schedule) is amended to read as follows and renumbered accordingly:

1 [Fee schedules].

A. Applications for zoning amendments, hillside density waivers, written certification of zoning, promotional event permits, and specific plans shall be accompanied by appropriate fees as determined from the following schedule:

1. *Fees.*

***

7. REZONING TO WALKABLE URBAN (WU) CODE

A.	T3:2, T4:2, AND T4:3	$2,655.00 PLUS $210.00 PER ACRE OR PORTION THEREOF
B.	T5:2, T5:3, T5:5, T5:6, T5:7, AND T6:7	$3,910.00 PLUS $415.00 PER ACRE UP TO 40 ACRES, $210.00 FOR MORE THAN 40 ACRES UP TO 100 ACRES, AND $70.00 PER ACRE FOR MORE THAN 100 ACRES
C.	T6:15 AND T6:22	$8,610.00 PLUS $830.00 PER ACRE OR PORTION THEREOF
D.	T6:HWR	IF PART OF THE ORIGINAL ZONING REQUEST, NO ADDITIONAL FEE. IF A SEPARATE REQUEST, 30% OF THE

		T6:15 OR T6:22 FILING FEE APPLICABLE TO THE PROPERTY.

***

21.	ADMINISTRATIVE TEMPORARY USE PERMIT	$135.00

***

PASSED by the Council of the City of Phoenix this 2nd day of February, 2022.

_____
MAYOR

ATTEST:

_____City Clerk

APPROVED AS TO FORM:

_____City Attorney

REVIEWED BY:

_____City Manager

DRAFT

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report
Zoning Ordinance Text Amendment
Z-TA-3-19
July 12, 2021

Application No Z-TA-3-19: Amend Chapter 3, Section 309.A; Chapter 5, Sections 507.G, 507.G.1.c, and 507.G.4.c; Chapter 13, Sections 1301.B, 1301.C, 1303.A, 1304.F, 1305.A, 1306.A, 1310.A, and 1310, Table 1310.1; of the Zoning Ordinance to expand the WU-Code boundaries citywide; and amend Appendix A (Zoning Fee Schedule) of the Zoning Ordinance to include fees for WU Code.

Staff Recommendation: Staff recommends approval of Z-TA-3-19 as shown in the recommended text in Exhibit A.

WALKABLE URBAN (WU) CODE EXPANSION

Purpose/Background: On July 31, 2015, the Phoenix City Council approved Text Amendment No. Z-TA-8-09 and adopted the related Ordinance No. G-6047, which amended Sections 202, 309, and 507, and created Chapter 13 of the Zoning Ordinance regarding the Walkable Urban Code (WU Code).

On June 6, 2019, the Phoenix Planning Commission initiated a text amendment to amend Chapter 13 to expand the WU Code boundaries citywide; amend the Zoning Fee Schedule to include fees for WU Code Transect Districts, Downtown Code-Character Areas and update fees for new processes; and to address minimum acreage limitations on charter schools to comply with limitations allowed by ARS 15-189.01. This text amendment does not include amendments regarding the minimum acreage limitations on charter schools. Proposed amendments regarding charter school regulations may be addressed in a future text amendment.

Currently, the WU Code may be applied and is limited to land uses, subdivisions, and development within the Reinvent PHX Transit Oriented District Policy Plans for Gateway, Eastlake-Garfield, Midtown, Uptown and Solano districts. The purpose of this text amendment is to remove geographic restrictions on applicability and allow the WU Code to be applied to properties citywide. Removing these restrictions will allow property owners along future light rail extensions, within future Transit Oriented District (TOD) Policy Plan areas, and other appropriate areas of the City to request rezoning to WU Code zoning districts subject to all relevant processes and procedures applicable to such applications.

Expanding the boundaries of the Walkable Urban Code also supports the goals of the Housing Phoenix Plan adopted by the Phoenix City Council in June 2020. The Plan

contains policy initiatives for the development and preservation of housing with a vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing. The Plan has a goal of preserving or creating 50,000 housing units by 2030 and proposes policy initiatives to achieve this goal, including amending the current Zoning Ordinance to facilitate more housing options.

The WU Code is a form-based code that prioritizes the development of pedestrian oriented environments, promotes diverse housing options, and does not contain limits on dwelling unit density. The WU Code promotes walkable, shaded, human-scale, transit-oriented development that is uniquely suited for transit districts and other urban areas targeted for higher intensity development. Expanding the boundaries of the WU Code will allow for consideration of proposed developments utilizing the Code outside of the current approved TOD Districts.

This text amendment also prevents the need for future text amendments to continue adding references to newly approved Transit Oriented District (TOD) Policy Plans as these plans are individually adopted or approved. Finally, this proposal will eliminate the need for the use of the Planned Unit Development (PUD) zoning district to implement Walkable Urban Code standards for properties outside the boundaries of the current approved TOD Districts.

This text amendment also includes revisions to development standards and design guidelines, including general lot standards, frontages, building and shade, open space, and public space type, which are intended to correct existing issues related to subdivisions and existing limitations and requirements for single-family attached (SFA) development which are relevant to the expansion of WU Code applicability citywide.

Applicants requesting a change to WU Code zoning must follow the rezoning process per Section 506 of the Zoning Ordinance. This text amendment will not rezone any property to WU Code zoning and will not modify any aspect of the current rezoning process.

The following provides a summary of the proposed changes:

- **Geographic Restrictions on the Applicability of the WU Code**

  Sections 309.A, 507.G, 1301.C, and 1305 are revised to remove references to geographic restrictions on the applicability of the WU Code and/or references to the current 'boundaries' of the WU Code. The current language restricts applications for WU Code zoning to properties depicted on the boundary maps of the Gateway, Eastlake-Garfield, Midtown, Uptown and Solano Transit Oriented District (TOD) Policy Plans. The intent behind removing geographic restrictions

and references to 'boundaries' is to allow for the WU Code to be applied citywide through the rezoning process.

- **Policy Plan References Relevant to WU Code Rezoning Requests**

  Sections 507.G, 507.G.1.c, 507.G.4.c, and 1301.B are revised to clarify the relevant policy plans that the WU Code is intended to implement, clarify relevant policy plans that should be considered when evaluating requests for rezoning to WU Code zoning, and provide the Design Review Committee (DRC) clear review criteria regarding applications for Design Alternatives and Sustainability Bonus Appeals for properties with WU Code zoning.

  These revisions include removing references to the five currently approved TOD Policy Plan Character Areas (Gateway, Eastlake-Garfield, Midtown, Uptown and Solano) and replacing these with a reference to transit-oriented policy plans generally. This proposal has no impact on the applicability or any considerations regarding these existing TOD Policy Plans. The intent is to allow flexibility for consideration of policy plans for future TOD Districts as they are adopted without necessitating additional text amendments. Additionally, this will allow the consideration of other transit-oriented policy plans in evaluating requests for WU Code zoning districts including, but not limited to, the Transit-Oriented Development Strategic Policy Framework.

  Further, the proposed expansion of the WU Code as a zoning district for properties citywide necessitates that additional review criteria be identified regarding relevant policy plans for properties in non-TOD districts. Proposed revisions in Sections 507.G, 507.G.1.c, and 507.G.4.c clarify that other relevant policy plans should be considered when the DRC is considering requests for Design Alternatives and Sustainability Bonus Appeals. Relevant policy plans may include citywide plans such as the recently adopted Housing Phoenix Plan or the 2015 Phoenix General Plan, or Village, community, or neighborhood specific plans such as Village core plans, Village character plans, Special Planning Districts, neighborhood conservation plans, and many others.

  These revisions will allow greater flexibility in determining appropriate review criteria for WU Code rezoning requests on a property-by-property basis. This result is further expressed in the proposed revision to Section 1301.B which modifies the purpose and intent of the WU Code generally to apply to a wider range of development scenarios. These revisions include removing the distinction between 'primary' and 'secondary' purposes of the Code, which currently prioritizes the TOD Policy Plan's visions and policies above neighborhood improvements such as pedestrian safety and public health. The proposed revisions clearly establish the equal weight of all these goals in evaluating such requests. Additionally, the proposal removes a reference to specific Light Rail corridors and replaces it with a reference to transit corridors

generally which will allow the Code to remain relevant as new extensions are activated. However, this will also allow communities that do not contain light rail corridors, but may contain key transit corridors such as future bus-rapid transit lines, to help evaluate requests for WU Code zoning and whether they represent an appropriate mixture and density of activity.

- **WU Code Process and Procedure Clarification**

  Sections 1301.C and 1306.A are revised to include minor administrative adjustments that clarify processes and procedures within the WU Code. These include revisions to 1301.C.1 to clarify that WU Code Transect Districts are zoning districts that may be applied for through the conventional rezoning process, 1301.C.2.a to address conflicts between Chapter 8 (Historic Preservation) and Chapter 13 (WU Code), 1301.C.2.b to clarify conflicts with the remainder of the Zoning Ordinance and 1301.C.3 to address conflicts within the WU Code, and 1306.A to clarify applicability of the Land Use Matrix. These revisions are not intended to modify any existing Code requirements but rather to clarify the original intent of the Code and the appropriate hierarchies of authority for plan and project review.

- **WU Code General Lot Standards Relevant to Expansion of WU Code**

  Section 1303.A is revised to address general lot standards relevant to the expansion of WU Code applicability. Revisions include the following:

  - Section 1303.A.1 includes new language that conclusively establishes that new lots created by subdividing properties within WU Code transect districts shall comply with frontage standards on new public and private street frontages, not just existing perimeter frontages. Except that Section 1303.A.1.a is proposed to allow an exception for SFA development.

  - Section 1303.A.1.a includes a correction regarding an existing reference to a graphic describing building setback and stepbacks which is in Section 614, and not Section 615. This section also includes revisions that clarify that the SFA development option is available for properties that meet three conditions:

    1) Section 1303.A.1.a.(1) requires that the development consist solely of attached dwelling units and permitted accessory uses. This condition is required because the WU Code permits a wider variety of land uses than the conventional multifamily residential zoning districts that the SFA development option is currently permitted in. Without this clarification, it would appear that an SFA development may be permitted that integrates commercial or other mixed-uses.

2) Section 1303.A.1.a.(2) requires that the subject property be located in the Applicable Area for the Single-Family Attached Development Option or the Infill Development District as depicted on the existing map provided in Section 608.F.8. This condition is required to ensure that the SFA development option is not utilized on properties with WU Code transects outside of the existing areas for which the SFA development option is currently approved. These areas are identified on the map referenced in the proposed language.

3) Section 1303.A.1.a.(3) requires that the development be located in any WU Code transect other than T3. This is an existing condition in 1303.A.1 that is proposed to move to this new section. This existing condition is required because the T3 transect is intended to provide for a low-intensity residential fabric characterized primarily by detached single-family homes and duplexes in relatively large lots with deep setbacks. The SFA development option is not appropriate for the intended character of the T3 transect.

- Section 1303.A.1.b includes a revision that clarifies the role of the Subdivision Ordinance and Subdivision Committee in regard to SFA development for WU Code properties. Specifically, that WU Code properties are subject to the requirements of the Subdivision Ordinance and that the Subdivision Committee shall consider the stated goals of the WU Code in evaluating modifications.

- Section 1303.A.2 includes revisions that address all WU Code development adjacent to property with a single-family zoning district and establishes a requirement that these shared property lines should be developed using SFA building setback and stepback standards. This corrects an error regarding an Ordinance reference to the single-family development option and revises existing Ordinance language to apply these standards to all developments. Revisions also include three additional requirements regarding SFA development:

  1) Section 1303.A.2.a retains the original language of 1303.A.2.b which addresses stepback provisions.

  2) Section 1303.A.2.b clarifies and relocates original language from 1303.A.2 and 1303.A.2.a which address a minimum ten-foot landscape setback for all development abutting historic preservation designated properties or districts. This clarification is required as the original language only addressed development in the T4, T5, and T6 transects, whereas the revised language addresses all transects as described above.

3) Section 1303.A.2.c establishes a new provision stating that no stepback provisions or landscape setbacks are required where a development abuts a permanent open space at least 40 feet in depth, such as a wash, preserve, park, existing golf course, or dedicated open space. This provision is intended to provide consistency with the existing provision applied to conventional residential zoning districts in Section 608.I.3.

- Section 1303.A.6 includes multiple revisions to add private accessways and private driveways to a list regarding locations where frontage standards apply. This is consistent with the existing Section 202 definitions of *Building Frontage* and *Frontage* which addresses private accessways. This standard will not apply along internal driveways which do not abut lot lines which is consistent with current Ordinance language.

Section 1304.F.2 includes a revision requiring that developments provide shading along their entire frontage and not along what is currently referred to as “right-of-way frontage”. The existing language is unclear and the revision also provides consistency with the proposed revision to Section 1303.A.6 as described above.

Section 1310 is revised to address open space standards relevant to the expansion of WU Code applicability. Revisions include the following:

- Section 1310.A.1 includes a correction to specify that T3 parcels are exempt from required ‘public open space improvements’ and not ‘public space improvements’. Note that as this text amendment does not permit SFA development in the T3 district, there is no need to require open space per that development option.

- Section 1310.A.2 includes a correction to clarify that the open space requirements in this section apply to all developments within the T4, T5, and T6 transects. The original language exempted residential land uses from these requirements. There is no other Ordinance section with comparable standards that apply to residential land uses in these WU Code transects and this corrects the problem.

- Section 1310.A.2.a includes a revision that requires SFA developments to provide open space as required by Section 614, Table B, Column D, regardless of lot size. In the existing language, it is unclear if the WU Code overrides SFA standards, which would otherwise require open space regardless of lot size.

Section 1310, Table 1310.1 contains two minor revisions to provide consistency with the proposed modifications in Section 1310 as described above.

ZONING FEE SCHEDULE UPDATE

Purpose/Background: On July 31, 2015, the Phoenix City Council approved TA-8-09 and adopted Ordinance No. G-6047, which amended Sections 202, 309, and 507, and created Chapter 13 of the Zoning Ordinance regarding the WU Code. Planning and Development Department staff in the Zoning section subsequently established administrative fees for rezoning requests to the various transect districts in the WU Code. The fees that were established were determined to provide consistency with the Zoning Ordinance's existing fees for comparable conventional zoning districts. The purpose of this text amendment is to insert the WU Code rezoning fees into the Zoning Fee Schedule in the Zoning Ordinance.

The following provides a summary of the proposed changes:

Appendix A, Fee Schedule – A new Section A.1.7 is proposed to add fees relevant to rezoning requests to WU Code transect districts.

CONCLUSION
Staff recommends approval of the changes to the Zoning Ordinance as proposed in Exhibit A.

Writer
A. Stranieri
July 12, 2021

Exhibit
A. Proposed Language (7 Pages)

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

EXHIBIT A

Z-TA-3-19: Walkable Urban Code Boundary Expansion and Fee Update

Proposed Language:

Amend Section 309.A (Design Review Committee) to read as follows:

A.	**Powers and Duties.** The Design Review Committee shall have the power and duty under the provisions of these regulations to hear specific items appealed by the development review applicant contesting decisions made by the Planning and Development Department regarding the interpretation and implementation of design guidelines and architectural diversity standards, to review and approve Design Alternatives and Sustainability Bonuses for properties within the boundaries of the Downtown Code, and to review and approve design alternatives and modification to PROPERTIES WITH ~~standards within the boundaries of the~~ Walkable Urban Code ZONING.
***	

Amend Section 507.G (Design Alternatives and Sustainability Bonus Appeals) to read as follows:

G.	**Design Alternatives and Sustainability Bonus Appeals**. A Design Alternative or Sustainability Bonus Appeal is a deviation from the prescribed standards and design guidelines. Design Alternatives and Sustainability Bonus Appeals apply to properties within the boundary of the Downtown Code, which would result in a furtherance of the goals and policies of the Downtown Phoenix Plan and the specific intent of the subject Character Area as approved by the DRC. Design Alternatives apply to properties ~~within the boundaries of the~~ WITH Walkable Urban Code ZONING, which would result in a furtherance of the goals and policies of ~~the Gateway, Eastlake-Garfield, Midtown, Uptown and Solano~~ Transit Oriented ~~District (TOD)~~ Policy Plans OR OTHER RELEVANT POLICY PLANS.
***	

Amend Section 507.G.1.c to read as follows:

c.	A narrative statement describing the justification for the Design Alternative and the manner in which the proposed Design Alternative would result in a

	furtherance of the goals and policies of the Downtown Phoenix Plan, ~~or of the Gateway, Eastlake-Garfield, Midtown, Uptown and Solano TOD~~ TRANSIT ORIENTED Policy Plans, OR OTHER RELEVANT POLICY PLANS and would satisfy the findings required for approval;
***	

Amend Section 507.G.4.c to read as follows:

c.	That the project demonstrates design excellence by addressing Design Alternatives that demonstrate conformance with the intent of the Walkable Urban Code as set forth in Section 1301.B and in general conformance with the policies contained within the~~ Gateway, Eastlake-Garfield, Midtown, Uptown and Solano TOD~~ TRANSIT ORIENTED Policy Plans OR OTHER RELEVANT POLICY PLANS. The modifications must meet the standards set forth in Section 1313.
***	

Amend Section 1301.B (Purpose and Intent) to read as follows:

B.	**Purpose and Intent.** The ~~primary~~ purposeS of this chapter ~~is~~ ARE to implement the vision and policies of ~~the~~ Transit Oriented ~~District (TOD)~~ Policy Plans ~~for Gateway, Eastlake-Garfield, Midtown, Uptown and Solano~~; encourage an appropriate mixture and density of activity ~~around transit stations~~; to increase transit ridership in general and along ~~the Central Phoenix/East Valley Light Rail Corridor in particular~~ TRANSIT CORRIDORS; ~~and~~ to promote multiple modes of transportation;~~. The secondary purpose of the Code~~ to improve pedestrian safety from crime~~,~~; to avoid or mitigate nuisances~~,~~; to promote ~~the~~ public health~~,~~; to decrease automobile-dependence~~,~~; and to mitigate the effects of congestion and pollution. These regulations seek to achieve these purposes by providing the following:
***	

Amend Section 1301.C (Applicability) to read as follows:

C.		**Applicability.** ~~The Walkable Urban Code may be applied and is limited to land uses, subdivisions, and development within the Reinvent PHX Transit Oriented District Policy Plans for Gateway, Eastlake-Garfield, Midtown, Uptown and Solano. The boundaries of these areas are shown in the District Maps located in the Transit Oriented District Policy Plans for Gateway, Eastlake-Garfield, Solano, Midtown and Uptown.~~
	1.	~~When in conflict, text and numerical metrics in tables shall take precedence over diagrams and illustrations.~~ WALKABLE URBAN CODE TRANSECT

		DISTRICTS ARE ZONING DISTRICTS AND MAY BE APPLIED FOR THROUGH THE PROCEDURES OUTLINED IN SECTION 506.B.	
	2.	The Zoning Ordinance of the City of Phoenix applies in its entirety for properties subject to Chapter 13 except as follows:	
		a.	~~If a conflict occurs between requirements of the WU Code and the City of Phoenix Zoning Ordinance, the requirements of the WU Code shall prevail.~~ PROPERTIES WITH HISTORIC PRESERVATION (HP) ZONING ARE SUBJECT TO THE PROVISIONS OF CHAPTER 8, HISTORIC PRESERVATION. IN THE EVENT OF A CONFLICT BETWEEN THE PROVISIONS OF CHAPTER 8 AND CHAPTER 13, THE PROVISIONS OF CHAPTER 8 SHALL PREVAIL.
		b.	~~Properties with Historic Preservation (HP) zoning are subject to the provisions of Chapter 8, Historic Preservation. In the event of a conflict between the provisions of Chapter 8 and Chapter 13, the provisions of Chapter 8 shall prevail.~~ IF A CONFLICT OCCURS BETWEEN REQUIREMENTS OF THE WALKABLE URBAN CODE AND THE REMAINDER OF THE CITY OF PHOENIX ZONING ORDINANCE, THE REQUIREMENTS OF THE WALKABLE URBAN CODE SHALL PREVAIL.
	3.	WHEN IN CONFLICT, TEXT AND NUMERICAL METRICS IN TABLES SHALL TAKE PRECEDENCE OVER DIAGRAMS AND ILLUSTRATIONS.	
		***	

Amend Section 1303.A (General Lot Standards) to read as follows:

A.	**General Lot Standards.**		
	1.	~~The single-family attached development option (SFA) is allowed in all transect districts except T3:2 and must meet sections 608.F.8 and 615, Table B.~~SUBDIVISIONS SHALL COMPLY WITH DEVELOPMENT STANDARDS PER THIS CHAPTER, INCLUDING FRONTAGE STANDARDS, FOR ALL EXISTING AND NEWLY CREATED LOTS ABUTTING PUBLIC STREETS, PRIVATE ACCESSWAYS, AND PRIVATE DRIVEWAYS, WITH THE FOLLOWING CAVEATS:	
		a.	A DEVELOPMENT MAY INSTEAD UTILIZE THE SINGLE-FAMILY ATTACHED DEVELOPMENT OPTION STANDARDS PER SECTION 608.F.8 AND SECTION 614, TABLE B, COLUMN D (EXCEPT FOR THE DENSITY, WHICH IS NOT RESTRICTED) IF IT MEETS ALL THREE OF THE FOLLOWING CONDITIONS:

			(1)	THE DEVELOPMENT CONSISTS SOLELY OF ATTACHED DWELLING UNITS AND ALLOWABLE ACCESSORY USES;
			(2)	THE DEVELOPMENT IS LOCATED WITHIN THE APPLICABLE AREA FOR THE SINGLE-FAMILY ATTACHED DEVELOPMENT OPTION OR THE INFILL DEVELOPMENT DISTRICT AS DEPICTED ON THE MAP PROVIDED IN SECTION 608.F.8; AND
			(3)	THE DEVELOPMENT IS LOCATED IN ANY TRANSECT OTHER THAN T3.
		b.	ALL SUBDIVISIONS MUST COMPLY WITH THE REQUIREMENTS OF THE SUBDIVISION ORDINANCE (CHAPTER 32 OF THE CITY CODE), AS MAY BE MODIFIED BY THE SUBDIVISION COMMITTEE TO FURTHER THE GOALS OF THE WALKABLE URBAN CODE.	
	2.	~~Development in T4, T5 and T6 shall follow the same setback and stepback standards as the single-family attached development option. If development is adjacent to a single-family zoning district (Sections 611, 613) or historic preservation designated property or district the following additional requirements shall apply:~~ ALL DEVELOPMENTS ADJACENT TO SINGLE-FAMILY ZONING DISTRICTS SHALL FOLLOW THE SAME SETBACK AND STEPBACK STANDARDS AS THE SINGLE-FAMILY ATTACHED DEVELOPMENT OPTION (SECTION 614, TABLE B, COLUMN D); WITH ADDITIONAL REQUIREMENTS AS FOLLOWS:		
		a.	~~Minimum ten-foot landscape setback, except for single-family detached dwellings.~~ STEPBACK PROVISION SHALL NOT EXCEED MAXIMUM 75-FOOT SETBACK FROM REAR AND SIDE PROPERTY LINES FOR BUILDING HEIGHT BEFORE MAXIMUM HEIGHT ALLOWED.	
		b.	~~Stepback provision shall not exceed maximum 75-foot setback from rear and side property lines for building height before maximum height allowed.~~ FOR ALL DEVELOPMENT ABUTTING A HISTORIC PRESERVATION DESIGNATED PROPERTY OR DISTRICT, A MINIMUM TEN-FOOT LANDSCAPE SETBACK SHALL BE PROVIDED.	
		c.	NO STEPBACK PROVISIONS OR LANDSCAPE SETBACKS ARE REQUIRED WHERE THE DEVELOPMENT ABUTS A PERMANENT OPEN SPACE AT LEAST 40 FEET IN DEPTH, SUCH AS A WASH, PRESERVE, PARK, EXISTING GOLF COURSE, OR DEDICATED OPEN SPACE.	
***				

	6.	**~~Primary~~ Frontages**. Lot lines abutting a right-of-way, PRIVATE ACCESSWAY, OR PRIVATE DRIVEWAY are designated as primary frontage lineS or secondary frontage lineS as follows:	
		a.	For lots abutting a right-of-way, PRIVATE ACCESSWAY, OR PRIVATE DRIVEWAY along a single lot line, the abutting lot line is designated the primary frontage.
		b.	For lots abutting MULTIPLE rights-of-way, PRIVATE ACCESSWAYS, OR PRIVATE DRIVEWAYS ~~along multiple streets right-of-way~~, primary frontage is designated by the Planning and Development Department, AND all remaining frontages are designated secondary frontages.
***			

Amend Section 1304.F.2 (Building and Shade) to read as follows:

2.	Developments should include shading along their entire ~~right-of-way~~ frontage, excluding driveways, loading, and service berths.
***	

Amend Section 1305.A (Applicability) to read as follows:

A.	**Applicability**. Standards and frontage types in this section regulate the area between the property line and the front facade of a building in order to support an urban, pedestrian and transit oriented environment ~~within the boundaries of the WU Code~~.
***	

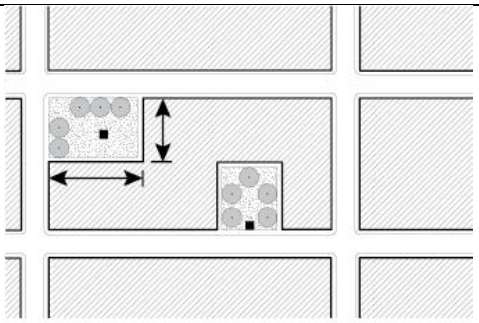
Amend Section 1306.A (Applicability) to read as follows:

A.	**Applicability**. The Land Use Matrix in Table 1306.1 shall apply to all PROPERTIES WITH WALKABLE URBAN CODE ZONING ~~land uses within the WU Code boundaries~~.
***	

Amend Section 1310.A (Open Space Guidelines) to read as follows:

A.	**Open Space Guidelines**		
	1.	Parcels zoned T3 are exempt from required public OPEN space improvements.	
	2.	Open space requirements for ~~commercial, nonresidential and mixed-use development~~ DEVELOPMENTS WITHIN THE T4, T5, AND T6 TRANSECTS ARE as follows:	
		a.	For sites of one gross acre or larger, minimum open space of at least five percent of the gross ~~lot~~ SITE area shall be required. FOR DEVELOPMENTS UTILIZING THE SINGLE-FAMILY ATTACHED DEVELOPMENT OPTION STANDARDS IN ACCORDANCE WITH SECTION 1303.A.1.A, OPEN SPACE SHALL BE PROVIDED AS REQUIRED BY SECTION 614, TABLE B, COLUMN D, REGARDLESS OF LOT SIZE.
		***	

Amend Section 1310, Table 1310.1 (Public Space Type Guidelines) to read as follows:

Table 1310.1 Public OPEN Space Type Guidelines		
PUBLIC OPEN SPACES		
Transect Zone	T4, T5, T6	
Size	Five percent of the gross site area above one acre.*	
Edge Condition	One side minimum fronting a thoroughfare or pedestrian way.	
Surface	Paved and landscaped.	
Shade and Landscaping	50 percent shade provided by trees. Ground cover and shrubs: Should be provided in areas with no pavement or structures.	
*SINGLE-FAMILY ATTACHED DEVELOPMENTS MUST PROVIDE OPEN SPACE AS REQUIRED PER SECTION 1310.A.2.A.		
***		

Amend Appendix A (Zoning Fee Schedule) to read as follows and renumber accordingly:

1 [Fee schedules].				
A. Applications for zoning amendments, hillside density waivers, written certification of zoning, promotional event permits, and specific plans shall be accompanied by appropriate fees as determined from the following schedule:				
	1. *Fees.*			
	***			
	7.	REZONING TO WALKABLE URBAN (WU) CODE		
		A.	T3:2, T4:2, AND T4:3	$2,655.00 PLUS $210.00 PER ACRE OR PORTION THEREOF
		B.	T5:2, T5:3, T5:5, T5:6, T5:7, AND T6:7	$3,910.00 PLUS $415.00 PER ACRE UP TO 40 ACRES, $210.00 FOR MORE THAN 40 ACRES UP TO 100 ACRES, AND $70.00 PER ACRE FOR MORE THAN 100 ACRES
		C.	T6:15 AND T6:22	$8,610.00 PLUS $830.00 PER ACRE OR PORTION THEREOF
		D.	T6:HWR	IF PART OF THE ORIGINAL ZONING REQUEST, NO ADDITIONAL FEE. IF A SEPARATE REQUEST, 30% OF THE T6:15 OR T6:22 FILING FEE APPLICABLE TO THE PROPERTY.
	***			

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

ADDENDUM A
Staff Report: Z-TA-3-19
(Walkable Urban Code Expansion/Fee Schedule Update)
September 28, 2021

Application No Z-TA-3-19: Amend Chapter 3 (Decision Making and Administrative Bodies), Chapter 5 (Development Review Procedures) and Chapter 13 (Walkable Urban Code) of the Zoning Ordinance to expand the WU Code boundaries citywide, including updates to clarify relevant policy plans, clarification of WU Code process and procedure, and updating general lot standards relevant to the expansion; and amend the Zoning Fee Schedule to include fees for WU Code Transect Districts, Downtown Code-Character Areas, and update fees for new processes.

Staff recommendation: Staff recommends approval of Z-TA-3-19 as shown in the recommended text in Exhibit A.

The purpose of this Addendum is to address minor revisions to the recommended text in Exhibit A. Below is a summary of the proposed revisions to the text amendment which are also denoted as underlined text in Exhibit A dated September 28, 2021.

1. **Section 1301.C.2.b**

   New language is proposed to clarify that the WU Code does not eliminate any overlay zoning district, redevelopment area, special planning district, or specific plan. These zoning districts and plans may contain defined geographic boundaries within which properties are subject to regulatory standards or guidelines. The proposed language is intended to clarify and confirm that rezoning a property to a WU Code Transect District does not eliminate any regulatory requirement to comply with these zoning districts and plans.

   To remove such a regulatory requirement, a property owner would be required to follow all processes relevant to modifying that zoning district or plan. These processes may include, but are not limited to, a text amendment to the geographic applicability in the case of an overlay zoning district or a General Plan Amendment in the case of a specific plan.

   However, it should be noted that the creation of the WU Code was intended to replace the Interim Transit-Oriented Zoning Overlay Districts One and Two (TOD-1 and TOD-2). If a property owner applies to rezone a property designated with TOD-1 or TOD-2 overlay zoning to a WU Code Transect District, a staff recommendation of approval will include removal of the TOD-1 or TOD-2 overlay zoning designation.

The new language also clarifies that in the event of a conflict between the WU Code and any overlay zoning district, redevelopment area, special planning district, or specific plan, the requirements of these overlay districts and plans shall apply. Due to the inclusion of this new language, the original proposed language in Section 1301.C.2.b is proposed to shift to the new Section 1301.C.2.c.

Finally, this new language is also intended to eliminate potential perceived conflicts between the proposed language in Section 1301.C.2.c which states that if a conflict occurs between requirements of the WU Code and the remainder of the City of Phoenix Zoning Ordinance, the requirements of the WU Code shall prevail. The proposed language in Section 1301.C.2.c is intended to apply to circumstances where a WU Code standard or guideline differs from a similar standard or guideline elsewhere in the Zoning Ordinance. For example, the WU Code has unique design guidelines that would prevail in the event of a conflict with a related design guideline in Section 507, Tab A, Guidelines for Design Review. However, as stated above this hierarchy does not apply to properties with Historic Preservation (HP) zoning, overlay zoning districts, redevelopment areas, special planning districts, or specific plans.

2. **Appendix A (Zoning Fee Schedule) – Section A.1.21**

New language is proposed to add a $135.00 fee for administrative temporary use permits (ATUP). An ATUP is required for uses including, but not limited to, community or other special events on commercial properties, interim surface parking, and temporary construction yards or staging areas. On July 6, 2011, the Phoenix City Council approved Text Amendment Case No. Z-TA-2-08 and adopted the related Ordinance No. G-5644 which modified regulations regarding temporary permits and created the term “Administrative Temporary Use Permit”. At that time, the term and related fee was not added to the Zoning Fee Schedule. The $135.00 fee has been utilized since 2011 and no change is proposed to the fee.

Correspondence: Also included in this Addendum as Exhibit B is one piece of correspondence received by staff since the approval of the original staff report.

Senate Bill 1409: On May 11, 2021, the Arizona Governor approved Senate Bill 1409, amending Section 9-462.01, relating to municipal zoning. This Bill requires the legislative body of a municipality to consider the probable impact of any text amendment on the cost to construct housing for sale or rent before adoption.

Pursuant to A.R.S. § 9-462.01(J), staff has evaluated the probable impact of this zoning text amendment on the cost to construct housing for sale or rent. Staff has found no evidence that the proposed zoning ordinance text amendment will have any probable and measurable impact on the construction costs of housing for sale or rent in Phoenix.

Exhibits
Exhibit A: Proposed Language (8 pages)
Exhibit B: Correspondence (12 Pages)

EXHIBIT A
Text Amendment Z-TA-3-19: Walkable Urban Code Expansion/Fee Schedule Update

Proposed Language:

Amend Section 309.A (Design Review Committee) to read as follows:

A.	**Powers and Duties.** The Design Review Committee shall have the power and duty under the provisions of these regulations to hear specific items appealed by the development review applicant contesting decisions made by the Planning and Development Department regarding the interpretation and implementation of design guidelines and architectural diversity standards, to review and approve Design Alternatives and Sustainability Bonuses for properties within the boundaries of the Downtown Code, and to review and approve design alternatives and modification to PROPERTIES WITH ~~standards within the boundaries of the~~ Walkable Urban Code ZONING.
***	

Amend Section 507.G (Design Alternatives and Sustainability Bonus Appeals) to read as follows:

G.	**Design Alternatives and Sustainability Bonus Appeals**. A Design Alternative or Sustainability Bonus Appeal is a deviation from the prescribed standards and design guidelines. Design Alternatives and Sustainability Bonus Appeals apply to properties within the boundary of the Downtown Code, which would result in a furtherance of the goals and policies of the Downtown Phoenix Plan and the specific intent of the subject Character Area as approved by the DRC. Design Alternatives apply to properties ~~within the boundaries of the~~ WITH Walkable Urban Code ZONING, which would result in a furtherance of the goals and policies of ~~the Gateway, Eastlake-Garfield, Midtown, Uptown and Solano~~ Transit Oriented ~~District (TOD)~~ Policy Plans OR OTHER RELEVANT POLICY PLANS.
***	

Amend Section 507.G.1.c to read as follows:

c.	A narrative statement describing the justification for the Design Alternative and the manner in which the proposed Design Alternative would result in a furtherance of the goals and policies of the Downtown Phoenix Plan, ~~or of the Gateway, Eastlake-Garfield, Midtown, Uptown and Solano TOD~~ TRANSIT ORIENTED Policy Plans, OR OTHER RELEVANT POLICY PLANS and would satisfy the findings required for approval;
***	

Amend Section 507.G.4.c to read as follows:

c.	That the project demonstrates design excellence by addressing Design Alternatives that demonstrate conformance with the intent of the Walkable Urban Code as set forth in Section 1301.B and in general conformance with the policies contained within the ~~Gateway, Eastlake-Garfield, Midtown, Uptown and Solano TOD~~ TRANSIT ORIENTED Policy Plans OR OTHER RELEVANT POLICY PLANS. The modifications must meet the standards set forth in Section 1313.
***	

Amend Section 1301.B (Purpose and Intent) to read as follows:

B.	**Purpose and Intent.** The ~~primary~~ purposeS of this chapter ~~is~~ ARE to implement the vision and policies of ~~the~~ Transit Oriented ~~District (TOD)~~ Policy Plans ~~for Gateway, Eastlake-Garfield, Midtown, Uptown and Solano~~; encourage an appropriate mixture and density of activity ~~around transit stations~~; to increase transit ridership in general and along ~~the Central Phoenix/East Valley Light Rail Corridor in particular~~ TRANSIT CORRIDORS; ~~and~~ to promote multiple modes of transportation;~~. The secondary purpose of the Code~~ to improve pedestrian safety from crime~~,~~; to avoid or mitigate nuisances~~,~~; to promote ~~the~~ public health~~,~~; to decrease automobile-dependence~~,~~; and to mitigate the effects of congestion and pollution. These regulations seek to achieve these purposes by providing the following:
***	

Amend Section 1301.C (Applicability) to read as follows:

C.	**Applicability.** ~~The Walkable Urban Code may be applied and is limited to land uses, subdivisions, and development within the Reinvent PHX Transit Oriented District Policy Plans for Gateway, Eastlake-Garfield, Midtown, Uptown and Solano. The boundaries of these areas are shown in the District Maps located in~~

	~~the Transit Oriented District Policy Plans for Gateway, Eastlake-Garfield, Solano, Midtown and Uptown.~~		
	1.	~~When in conflict, text and numerical metrics in tables shall take precedence over diagrams and illustrations.~~ WALKABLE URBAN CODE TRANSECT DISTRICTS ARE ZONING DISTRICTS AND MAY BE APPLIED FOR THROUGH THE PROCEDURES OUTLINED IN SECTION 506.B.	
	2.	The Zoning Ordinance of the City of Phoenix applies in its entirety for properties subject to Chapter 13 except as follows:	
		a.	~~If a conflict occurs between requirements of the WU Code and the City of Phoenix Zoning Ordinance, the requirements of the WU Code shall prevail.~~ PROPERTIES WITH HISTORIC PRESERVATION (HP) ZONING ARE SUBJECT TO THE PROVISIONS OF CHAPTER 8, HISTORIC PRESERVATION. IN THE EVENT OF A CONFLICT BETWEEN THE PROVISIONS OF CHAPTER 8 AND CHAPTER 13, THE PROVISIONS OF CHAPTER 8 SHALL PREVAIL.
		b.	~~Properties with Historic Preservation (HP) zoning are subject to the provisions of Chapter 8, Historic Preservation. In the event of a conflict between the provisions of Chapter 8 and Chapter 13, the provisions of Chapter 8 shall prevail. IF A CONFLICT OCCURS BETWEEN REQUIREMENTS OF THE WALKABLE URBAN CODE AND THE REMAINDER OF THE CITY OF PHOENIX ZONING ORDINANCE, THE REQUIREMENTS OF THE WALKABLE URBAN CODE SHALL PREVAIL.~~ <u>THE WALKABLE URBAN CODE DOES NOT ELIMINATE ANY OVERLAY ZONING DISTRICT, REDEVELOPMENT AREA, SPECIAL PLANNING DISTRICT, OR SPECIFIC PLAN. WHERE CONFLICTS OCCUR BETWEEN THE REQUIREMENTS OF THE WALKABLE URBAN CODE AND OVERLAY ZONING DISTRICTS, REDEVELOPMENT AREAS, SPECIAL PLANNING DISTRICTS, OR SPECIFIC PLANS, THE REQUIREMENTS OF THE OVERLAY ZONING DISTRICT, REDEVELOPMENT AREA, SPECIAL PLANNING DISTRICT, OR SPECIFIC PLAN SHALL APPLY.</u>
		<u>C.</u>	<u>IF A CONFLICT OCCURS BETWEEN REQUIREMENTS OF THE WALKABLE URBAN CODE AND THE REMAINDER OF THE CITY OF PHOENIX ZONING ORDINANCE, THE REQUIREMENTS OF THE WALKABLE URBAN CODE SHALL PREVAIL.</u>
	3.	WHEN IN CONFLICT, TEXT AND NUMERICAL METRICS IN TABLES SHALL TAKE PRECEDENCE OVER DIAGRAMS AND ILLUSTRATIONS.	

***

Amend Section 1303.A (General Lot Standards) to read as follows:

A.	**General Lot Standards.**				
	1.	~~The single-family attached development option (SFA) is allowed in all transect districts except T3:2 and must meet sections 608.F.8 and 615, Table B~~.SUBDIVISIONS SHALL COMPLY WITH DEVELOPMENT STANDARDS PER THIS CHAPTER, INCLUDING FRONTAGE STANDARDS, FOR ALL EXISTING AND NEWLY CREATED LOTS ABUTTING PUBLIC STREETS, PRIVATE ACCESSWAYS, AND PRIVATE DRIVEWAYS, WITH THE FOLLOWING CAVEATS:			
		a.	A DEVELOPMENT MAY INSTEAD UTILIZE THE SINGLE-FAMILY ATTACHED DEVELOPMENT OPTION STANDARDS PER SECTION 608.F.8 AND SECTION 614, TABLE B, COLUMN D (EXCEPT FOR THE DENSITY, WHICH IS NOT RESTRICTED) IF IT MEETS ALL THREE OF THE FOLLOWING CONDITIONS:		
			(1)	THE DEVELOPMENT CONSISTS SOLELY OF ATTACHED DWELLING UNITS AND ALLOWABLE ACCESSORY USES;	
			(2)	THE DEVELOPMENT IS LOCATED WITHIN THE APPLICABLE AREA FOR THE SINGLE-FAMILY ATTACHED DEVELOPMENT OPTION OR THE INFILL DEVELOPMENT DISTRICT AS DEPICTED ON THE MAP PROVIDED IN SECTION 608.F.8; AND	
			(3)	THE DEVELOPMENT IS LOCATED IN ANY TRANSECT OTHER THAN T3.	
		b.	ALL SUBDIVISIONS MUST COMPLY WITH THE REQUIREMENTS OF THE SUBDIVISION ORDINANCE (CHAPTER 32 OF THE CITY CODE), AS MAY BE MODIFIED BY THE SUBDIVISION COMMITTEE TO FURTHER THE GOALS OF THE WALKABLE URBAN CODE.		
	2.	~~Development in T4, T5 and T6 shall follow the same setback and stepback standards as the single-family attached development option. If development is adjacent to a single-family zoning district (Sections 611, 613) or historic preservation designated property or district the following additional requirements shall apply:~~ ALL DEVELOPMENTS ADJACENT TO SINGLE-FAMILY ZONING DISTRICTS SHALL FOLLOW THE SAME SETBACK AND STEPBACK STANDARDS AS THE SINGLE-FAMILY ATTACHED DEVELOPMENT OPTION (SECTION 614, TABLE B, COLUMN D); WITH ADDITIONAL REQUIREMENTS AS FOLLOWS:			

		a.	~~Minimum ten-foot landscape setback, except for single-family detached dwellings.~~ STEPBACK PROVISION SHALL NOT EXCEED MAXIMUM 75-FOOT SETBACK FROM REAR AND SIDE PROPERTY LINES FOR BUILDING HEIGHT BEFORE MAXIMUM HEIGHT ALLOWED.
		b.	~~Stepback provision shall not exceed maximum 75-foot setback from rear and side property lines for building height before maximum height allowed.~~ FOR ALL DEVELOPMENT ABUTTING A HISTORIC PRESERVATION DESIGNATED PROPERTY OR DISTRICT, A MINIMUM TEN-FOOT LANDSCAPE SETBACK SHALL BE PROVIDED.
		c.	NO STEPBACK PROVISIONS OR LANDSCAPE SETBACKS ARE REQUIRED WHERE THE DEVELOPMENT ABUTS A PERMANENT OPEN SPACE AT LEAST 40 FEET IN DEPTH, SUCH AS A WASH, PRESERVE, PARK, EXISTING GOLF COURSE, OR DEDICATED OPEN SPACE.
***			
	6.	**~~Primary~~ Frontages**. Lot lines abutting a right-of-way, PRIVATE ACCESSWAY, OR PRIVATE DRIVEWAY are designated as primary frontage lineS or secondary frontage lineS as follows:	
		a.	For lots abutting a right-of-way, PRIVATE ACCESSWAY, OR PRIVATE DRIVEWAY along a single lot line, the abutting lot line is designated the primary frontage.
		b.	For lots abutting MULTIPLE rights-of-way, PRIVATE ACCESSWAYS, OR PRIVATE DRIVEWAYS ~~along multiple streets right-of-way~~, primary frontage is designated by the Planning and Development Department, AND all remaining frontages are designated secondary frontages.
***			

Amend Section 1304.F.2 (Building and Shade) to read as follows:

2.	Developments should include shading along their entire ~~right-of-way~~ frontage, excluding driveways, loading, and service berths.
***	

Amend Section 1305.A (Applicability) to read as follows:

A.	**Applicability**. Standards and frontage types in this section regulate the area between the property line and the front facade of a building in order to support an urban, pedestrian and transit oriented environment ~~within the boundaries of the WU Code~~.
***	

Amend Section 1306.A (Applicability) to read as follows:

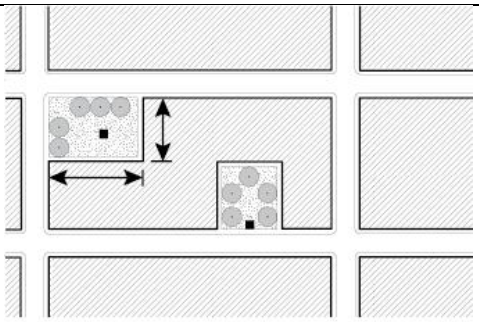
A.	**Applicability**. The Land Use Matrix in Table 1306.1 shall apply to all PROPERTIES WITH WALKABLE URBAN CODE ZONING ~~land uses within the WU Code boundaries~~.
***	

Amend Section 1310.A (Open Space Guidelines) to read as follows:

A.	**Open Space Guidelines**		
	1.	Parcels zoned T3 are exempt from required public OPEN space improvements.	
	2.	Open space requirements for ~~commercial, nonresidential and mixed-use development~~ DEVELOPMENTS WITHIN THE T4, T5, AND T6 TRANSECTS ARE as follows:	
		a.	For sites of one gross acre or larger, minimum open space of at least five percent of the gross ~~lot~~ SITE area shall be required. FOR DEVELOPMENTS UTILIZING THE SINGLE-FAMILY ATTACHED DEVELOPMENT OPTION STANDARDS IN ACCORDANCE WITH SECTION 1303.A.1.A, OPEN SPACE SHALL BE PROVIDED AS REQUIRED BY SECTION 614, TABLE B, COLUMN D, REGARDLESS OF LOT SIZE.
		***	

Amend Section 1310, Table 1310.1 (Public Space Type Guidelines) to read as follows:

Table 1310.1 Public OPEN Space Type Guidelines		
PUBLIC OPEN SPACES		
Transect Zone	T4, T5, T6	

Size	Five percent of the gross site area above one acre.*	
Edge Condition	One side minimum fronting a thoroughfare or pedestrian way.	
Surface	Paved and landscaped.	
Shade and Landscaping	50 percent shade provided by trees. Ground cover and shrubs: Should be provided in areas with no pavement or structures.	
*SINGLE-FAMILY ATTACHED DEVELOPMENTS MUST PROVIDE OPEN SPACE AS REQUIRED PER SECTION 1310.A.2.A.		
***		

Amend Appendix A (Zoning Fee Schedule) to read as follows and renumber accordingly:

1 [Fee schedules].				
A. Applications for zoning amendments, hillside density waivers, written certification of zoning, promotional event permits, and specific plans shall be accompanied by appropriate fees as determined from the following schedule:				
	1. *Fees.*			
	***			
	7.	REZONING TO WALKABLE URBAN (WU) CODE		
		A.	T3:2, T4:2, AND T4:3	$2,655.00 PLUS $210.00 PER ACRE OR PORTION THEREOF
		B.	T5:2, T5:3, T5:5, T5:6, T5:7, AND T6:7	$3,910.00 PLUS $415.00 PER ACRE UP TO 40 ACRES, $210.00 FOR MORE THAN 40 ACRES UP TO 100 ACRES, AND $70.00 PER ACRE FOR MORE THAN 100 ACRES
		C.	T6:15 AND T6:22	$8,610.00 PLUS $830.00 PER ACRE OR PORTION THEREOF
		D.	T6:HWR	IF PART OF THE ORIGINAL ZONING REQUEST, NO ADDITIONAL FEE. IF A

				SEPARATE REQUEST, 30% OF THE T6:15 OR T6:22 FILING FEE APPLICABLE TO THE PROPERTY.
	***			
	21.	ADMINISTRATIVE TEMPORARY USE PERMIT		$135.00
	***			

EXHIBIT B

Adam Stranieri

To: Enrique A Bojorquez-Gaxiola
Subject: RE: Public Comment in Support of Z-TA-3-19 in Estrella VPC

From: Ryan Boyd <ryanandrewboyd1@gmail.com>
Sent: Tuesday, July 20, 2021 11:37 AM
To: Enrique A Bojorquez-Gaxiola <enrique.bojorquez-gaxiola@phoenix.gov>
Subject: Public Comment in Support of Z-TA-3-19 in Estrella VPC

Good morning Enrique,

Sending this over with the hopes to include as public written comment for Estrella Village Planning Committee.

I write to you to express the support of the Urban Phoenix Project for Z-TA-3-19. This is a small step forward in making sure Phoenix is a place that is accessible, vibrant and frankly livable for the future.

Z-TA-3-19 provides the OPTION of rezoning to the Walkable Urban Code outside of the City of Phoenix's current Transit Oriented Districts. Communities and the Village Planning Committees like yourself still determine what the zoning of the property is, but this does not arbitrarily eliminate options from the start.

The Walkable Urban Code is form-based and designed to encourage the walkability of property. This is especially useful for the village cores that are designated in your character plan and the 2015 Phoenix General Plan. These cores allow residents to live, enjoy community amenities and work in one place. **Further, this advances many Estrella Village Character Plan goals including**:

1. "Communities should consist of a mix of land uses to provide housing, shopping, dining and recreational options for residents."
2. "Encourage centers to provide a pedestrian environment with plazas, common open space, shaded walkways, separation of pedestrian and vehicular traffic, bicycle parking, and vehicle parking in architecturally disguised structures or underground where feasible."
3. "Design and locate new neighborhoods to promote access (both physical and visual) to parks and open space. New developments should also provide convenient pedestrian and bicycle access to transit stops, schools and other neighborhood amenities."
4. "Lack of retail and restaurant options. As development activity increases throughout Estrella, the Village has a growing need for more quality restaurants, retail and commercial services to serve its diverse and expanding population."
5. "Lack of community amenities. The Estrella Village lacks quality public parks, bicycle lanes, and connectivity of multi-use trails and pathways. As residential development activity increases, it will be increasingly important to provide these amenities for an expanding population. The Estrella Community should promote restoration of access to amenities such as Tres Rios Wetlands."
6. "Diversifying the housing stock. Residential development in the Estrella Village is predominantly single-family detached units on smaller lots in the R1-6 and R1-8 zoning districts. There is a lack of diversity in the housing stock and a particular lack of larger-lot residential properties and multifamily options."

The benefits to accomplishing these goals are innumerable and include:

1. Walkable communities and denser housing options provide affordable options as called for in the Housing Phoenix Plan.
2. Walkability promotes alternatives to driving which is a driver of greenhouse gas emissions that affect our increasingly hot summers. Reducing the release of greenhouse gases is a goal of the city and likely to be included in the future Climate Action Plan.
3. Walkable communities allow for more efficient construction of infrastructure. Less water pipelines, electrical power lines and streets are required to serve more people in denser developments providing more tax revenue. This is fiscally stronger than spreading out further where more infrastructure is required to serve less people. See Strong Towns examples [actionlab.strongtowns.org].

For these reasons, I would ask for your support of Z-TA-3-19 and that you ask staff how we can improve the implementation of the Walkable Urban Code or other solutions to increase our housing supply and catch up with other cities like Minneapolis [slate.com] taking bolder actions to increase housing supply.

Please feel free to ask our organization if you have any questions about the text amendment or our support for these kinds of solutions.

Thank you for your time,

--

Ryan Boyd
Mobile: 602-799-4478
Director of Communications, Urban Phoenix Project [urbanphoenixproject.org]

From:	Ryan Boyd
To:	Enrique A Bojorquez-Gaxiola
Subject:	Public Comment in Support of Z-TA-3-19 in Ahwatukee Foothills VPC
Date:	Monday, July 26, 2021 12:45:07 PM

Good morning Enrique,

Just writing this to submit as written comments for tonight's Ahwatukee Foothills Village Planning Committee if possible!

I write to you to express the support of the Urban Phoenix Project for Z-TA-3-19. This is a small step forward in making sure Phoenix is a place that is accessible, vibrant and frankly livable for the future.

Z-TA-3-19 provides the OPTION of rezoning to the Walkable Urban Code outside of the City of Phoenix's current Transit Oriented Districts. Communities and the Village Planning Committees like yourself still determine what the zoning of the property is, but this does not arbitrarily eliminate options from the start.

The Walkable Urban Code is form-based and designed to encourage the walkability of property. This is especially useful for the village cores that are designated in your character plan and the 2015 Phoenix General Plan. These cores allow residents to live, enjoy community amenities and work in one place. Beyond this, the WU Code expansion will address several goals in the Ahwatukee Foothills Village Character Plan including:

1. "Design and locate new neighborhoods to promote access (both physical and visual) to parks and open space. New developments should also provide convenient pedestrian and bicycle access to transit stops, schools and other neighborhood amenities."
2. "Enhance Community Amenities. The Village must continue to promote enhancements to its parks and recreational infrastructure. Public streetscapes throughout the Village lack amenities that would make streets more appealing and promote walkability."
3. "Improve Pedestrian and Cyclist Safety. Many major arterials such as 48th Street, Warner Road, Ray Road, Chandler Road and streets within the Village Core lack safe infrastructure for pedestrians and bicyclists."

The benefits to accomplishing these goals are innumerable and include:

1. Walkable communities and denser housing options provide affordable options as called for in the Housing Phoenix Plan.
2. Walkability promotes alternatives to driving which is a driver of greenhouse gas emissions that affect our increasingly hot summers. Reducing the release of greenhouse gases is a goal of the city and likely to be included in the future Climate Action Plan.
3. Walkable communities allow for more efficient construction of infrastructure. Less water pipelines, electrical power lines and streets are required to serve more people in denser developments providing more tax revenue. This is fiscally stronger than spreading out further where more infrastructure is required to serve less people. See Strong Towns examples [actionlab.strongtowns.org].

For these reasons, I would ask for your support of Z-TA-3-19 and that you ask staff how we can improve the implementation of the Walkable Urban Code.

Please feel free to ask our organization if you have any questions about the text amendment or our support for these kinds of solutions.

Thank you for your time,

Ryan Boyd
Mobile: 602-799-4478
Director of Communications, Urban Phoenix Project [urbanphoenixproject.org]



From:	Ryan Boyd
To:	Nick Klimek
Subject:	Written Public Comments in Support of Z-TA-3-19 in Alhambra VPC
Date:	Tuesday, July 27, 2021 8:01:37 AM

Good morning Nick,

Just writing to submit these public comments in support of Z-TA-3-19 in the Alhambra Village Planning Committee.

I write to you to express the support of the Urban Phoenix Project for Z-TA-3-19. This is a small step forward in making sure Phoenix is a place that is accessible, vibrant and frankly livable for the future.

Z-TA-3-19 provides the OPTION of rezoning to the Walkable Urban Code outside of the City of Phoenix's current Transit Oriented Districts. Communities and the Village Planning Committees like yourself still determine what the zoning of the property is, but this does not arbitrarily eliminate options from the start.

The Walkable Urban Code is form-based and designed to encourage the walkability of property. This is especially useful for the village cores that are designated in your character plan and the 2015 Phoenix General Plan. These cores allow residents to live, enjoy community amenities and work in one place. You in Alhambra are especially cognizant of these dynamics with your Transit-Oriented Development plans. I'd also like to note this accomplishes goals in the Alhambra Village Character Plan such as:

1. "Locate neighborhood retail to be easily accessible to neighborhoods."
2. "Encourage land uses that promote the growth of entrepreneurs or new businesses in Phoenix in appropriate locations."
3. "Promote and encourage compatible infill development with a mix of housing types in neighborhoods close to employment centers, commercial areas and where transit or transportation alternatives exist."
4. "Develop land use and design regulations governing land close to transit centers and light rail stations to maximize the potential for ridership."
5. "Integrate tree and shade into the design of new development and redevelopment projects throughout Phoenix."
6. "Plan and design communities and neighborhoods to be pedestrian friendly and walkable."
7. "Encourage centers to provide a pedestrian environment with plazas, common open space, shaded walkways, separation of pedestrian and vehicular traffic, bicycle parking and vehicle parking in architecturally disguised structures or underground where feasible."
8. "Locate parking to the rear of a site to create a more pedestrian environment, when adequate shielding from noise and light can be provided to adjacent established neighborhoods. On-street parking in some areas may also promote a pedestrian environment."
9. "Plan, design, and develop pedestrian linkages between parks, open spaces, village cores, neighborhood shopping centers, neighborhood schools, and neighboring municipalities."
10. "Support Mixed Use Development Opportunities. Mixed Use development opportunities can be found throughout the Village, especially close to light rail. These opportunities

should be supported to provide additional services and housing choices to those that live or work in the area."

11. "Encourage Multimodal Connectivity with Emphasis on Bikeability and Walkability. Projects in the Alhambra Village should be designed to focus on alternative modes of transportation to encourage use by all residents."

The benefits to accomplishing these goals are innumerable and include:

1. Walkable communities and denser housing options provide affordable options as called for in the Housing Phoenix Plan.
2. Walkability promotes alternatives to driving which is a driver of greenhouse gas emissions that affect our increasingly hot summers. Reducing the release of greenhouse gases is a goal of the city and likely to be included in the future Climate Action Plan.
3. Walkable communities allow for more efficient construction of infrastructure. Less water pipelines, electrical power lines and streets are required to serve more people in denser developments providing more tax revenue. This is fiscally stronger than spreading out further where more infrastructure is required to serve less people. See Strong Towns examples [actionlab.strongtowns.org].

For these reasons, I would ask for your support of Z-TA-3-19 and that you ask staff how we can improve the implementation of the Walkable Urban Code or other solutions to increase our housing supply and catch up with other cities like Minneapolis [slate.com] taking bolder actions to increase housing supply.

Please feel free to ask our organization if you have any questions about the text amendment or our support for these kinds of solutions.

Thank you for your time,

Ryan Boyd
Mobile: 602-799-4478
Director of Communications, Urban Phoenix Project [urbanphoenixproject.org]



Adam Stranieri

From: Sofia Mastikhina
Sent: Tuesday, August 3, 2021 11:24 AM
To: Adam Stranieri
Subject: FW: Public Comment in Support of Z-TA-3-19

For case file-

Sofia Mastikhina, CNU-A
(she/her/hers)
Planner II - Village Planner
City of Phoenix
Long Range Planning
Office: 602-256-5648
200 West Washington Street
Phoenix, AZ 85003

PLANNING & DEVELOPMENT
PRESERVE
SHAPE
BUILD

From: Ryan Boyd <ryanandrewboyd1@gmail.com>
Sent: Tuesday, August 3, 2021 11:13 AM
To: Sofia Mastikhina <sofia.mastikhina@phoenix.gov>
Subject: Public Comment in Support of Z-TA-3-19

Good morning Sofia,

Just writing to submit a public comment in support of Z-TA-3-19 in tonight's Camelback East VPC.

I write to you to express the support of the Urban Phoenix Project for Z-TA-3-19. This is a small step forward in making sure Phoenix is a place that is accessible, vibrant and frankly livable for the future.

Z-TA-3-19 provides the OPTION of rezoning to the Walkable Urban Code outside of the City of Phoenix's current Transit Oriented Districts. Communities and the Village Planning Committees like yourself still determine what the zoning of the property is, but this does not arbitrarily eliminate options from the start.

The Walkable Urban Code is form-based and designed to encourage the walkability of property. This is especially useful for the village cores that are designated in your character plan and the 2015 Phoenix General Plan. These cores allow residents to live, enjoy community amenities and work in one place. This additionally meets several of the goals in the Camelback East Character Plan including:

1. "In order to balance a more sustainable transportation system, development should be designed to include increased amenities for transit, pedestrian and bicyclists such as shade, water, seating, bus shelters, wider sidewalks, bike racks, pedestrian scale lighting and way-finding."
2. "Plan, design and develop pedestrian linkages between parks, open spaces, village cores, neighborhood shopping centers, neighborhood schools and neighboring municipalities."
3. "Maintain shaded streetscapes and promote detached sidewalks. While there are many areas within the Village that exhibit walkable shaded environments there are other areas where this environment is lacking. Shaded streetscapes and detached sidewalks should be encouraged whenever possible."
4. "Promote shade and sustainability features with private development. More effort should be made to promote multimodal transportation and green building. Developments are encouraged to provide bicycle parking, shaded pedestrian pathways, recycling services and application of sustainable materials."

The benefits to accomplishing these goals are innumerable and include:

1. Walkable communities and denser housing options provide affordable options as called for in the Housing Phoenix Plan.
2. Walkability promotes alternatives to driving which is a driver of greenhouse gas emissions that affect our increasingly hot summers. Reducing the release of greenhouse gases is a goal of the city and likely to be included in the future Climate Action Plan.
3. Walkable communities allow for more efficient construction of infrastructure. Less water pipelines, electrical power lines and streets are required to serve more people in denser developments providing more tax revenue. This is fiscally stronger than spreading out further where more infrastructure is required to serve less people. See Strong Towns examples [actionlab.strongtowns.org].

For these reasons, I would ask for your support of Z-TA-3-19 and that you ask staff how we can improve the implementation of the Walkable Urban Code or other solutions to increase our housing supply and catch up with other cities like Minneapolis [slate.com] taking bolder actions to increase housing supply.

Please feel free to ask our organization if you have any questions about the text amendment or our support for these kinds of solutions.

Thank you for your time,

Ryan Boyd
Mobile: 602-799-4478
Director of Communications, Urban Phoenix Project [urbanphoenixproject.org]



Adam Stranieri

From: Julianna Pierre
Sent: Monday, August 9, 2021 10:47 AM
To: Adam Stranieri
Subject: FW: Public Comment in Support of Z-TA-3-19

Hi Adam,

I didn't see a place in the text amendment folder for support letters, but I did receive the email below.

Thank you,
Julianna Pierre, Planner II – Village Planner
Office: 602-534-5829
PLANNING & DEVELOPMENT PRESERVE SHAPE BUILD
City of Phoenix
► Planning & Development Department
Long Range Planning
200 West Washington Street
Phoenix, AZ 85003
Mission: Planning, Development and Preservation for a Better Phoenix

From: Ryan Boyd <ryanandrewboyd1@gmail.com>
Sent: Tuesday, August 3, 2021 11:20 AM
To: Julianna Pierre <julianna.pierre@phoenix.gov>
Subject: Public Comment in Support of Z-TA-3-19

Good morning Julianna,

Just writing to submit a public comment in support of Z-TA-3-19 in tonight's Desert View VPC.

I write to you to express the support of the Urban Phoenix Project for Z-TA-3-19. This is a small step forward in making sure Phoenix is a place that is accessible, vibrant and frankly livable for the future.

Z-TA-3-19 provides the OPTION of rezoning to the Walkable Urban Code outside of the City of Phoenix's current Transit Oriented Districts. Communities and the Village Planning Committees like yourself still determine what the zoning of the property is, but this does not arbitrarily eliminate options from the start.

The Walkable Urban Code is form-based and designed to encourage the walkability of property. This is especially useful for the village cores that are designated in your character plan and the 2015 Phoenix General Plan and that you have designated as a place to cluster high density in your Village Character Plan. These cores allow residents to live, enjoy community amenities and work in one place. This meets other goals in the Desert View Character Plan including:

1. "Encourage centers to provide a pedestrian environment with plazas, common open space, shaded walkways, separation of pedestrian and vehicular traffic, bicycle parking, and vehicle parking in architecturally disguidesd structures or underground where feasible."

The benefits to accomplishing these goals are innumerable and include:

1. Walkable communities and denser housing options provide affordable options as called for in the Housing Phoenix Plan.

2. Walkability promotes alternatives to driving which is a driver of greenhouse gas emissions that affect our increasingly hot summers. Reducing the release of greenhouse gases is a goal of the city and likely to be included in the future Climate Action Plan.
3. Walkable communities allow for more efficient construction of infrastructure. Less water pipelines, electrical power lines and streets are required to serve more people in denser developments providing more tax revenue. This is fiscally stronger than spreading out further where more infrastructure is required to serve less people. See Strong Towns examples [actionlab.strongtowns.org].

For these reasons, I would ask for your support of Z-TA-3-19 and that you ask staff how we can improve the implementation of the Walkable Urban Code.

Please feel free to ask our organization if you have any questions about the text amendment or our support for these kinds of solutions.

Thank you for your time,

Ryan Boyd
Mobile: 602-799-4478
Director of Communications, Urban Phoenix Project [urbanphoenixproject.org]



From: Ryan Boyd
To: Nick Klimek
Subject: Public Comment in Support of Z-TA-3-19 in North Mountain VPC
Date: Wednesday, July 21, 2021 10:47:07 AM

Good morning Nick,

Sending this over to submit as public comment for the North Mountain VPC on Z-TA-3-19.

I write to you to express the support of the Urban Phoenix Project for Z-TA-3-19. This is a small step forward in making sure Phoenix is a place that is accessible, vibrant and frankly livable for the future.

Z-TA-3-19 provides the OPTION of rezoning to the Walkable Urban Code outside of the City of Phoenix's current Transit Oriented Districts. Communities and the Village Planning Committees like yourself still determine what the zoning of the property is, but this does not arbitrarily eliminate options from the start.

The Walkable Urban Code is form-based and designed to encourage the walkability of property. This is especially useful for the village cores that are designated in your character plan and the 2015 Phoenix General Plan. These cores allow residents to live, enjoy community amenities and work in one place. This further aligns with North Mountain planning goals such as:

1. "Cores, centers and corridors to be configured in a walkable manner and include a variety of land uses: office, retail shopping, entertainment and cultural, housing, hotel and resort, and where appropriate, some types of industry."
2. "Development should be designed to include increased amenities for transit, pedestrian and bicyclists, such as shade, water, seating, bus shelters, wider sidewalks, bike racks, pedestrian scale lighting and way-finding."
3. "Encourage centers to provide a pedestrian environment with plazas, common open space, shaded walkways, separation of pedestrian and vehicular traffic, bicycle parking, and vehicle parking in architecturally disguised structures or underground where feasible."
4. "Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix."
5. "Design public infrastructure to include pedestrian and bicycle amenities."
6. "Develop transit facilities in appropriate cores, centers and corridors to facilitate trip reductions and use of mass transit."
7. "Promote development in compact cores, centers and corridors that are connected by roads and transit, and are designed to encourage walking and bicycling."
8. "Revitalizing commercial centers. There are a number of commercial centers in the Village that have the opportunity to revitalize and develop into more attractive places for residents to shop."
9. "Promote local connectivity (walking and biking). While there are more public transit options in the area, there is an opportunity to increase the connectivity of bike lanes and develop more walkable communities."

The benefits to accomplishing these goals are innumerable and include:

1. Walkable communities and denser housing options provide affordable options as called

for in the Housing Phoenix Plan.
2. Walkability promotes alternatives to driving which is a driver of greenhouse gas emissions that affect our increasingly hot summers. Reducing the release of greenhouse gases is a goal of the city and likely to be included in the future Climate Action Plan.
3. Walkable communities allow for more efficient construction of infrastructure. Less water pipelines, electrical power lines and streets are required to serve more people in denser developments providing more tax revenue. This is fiscally stronger than spreading out further where more infrastructure is required to serve less people. See Strong Towns examples [actionlab.strongtowns.org].

For these reasons, I would ask for your support of Z-TA-3-19 and that you ask staff how we can improve the implementation of the Walkable Urban Code or other solutions to increase our housing supply and catch up with other cities like Minneapolis [slate.com] taking bolder actions to increase housing supply.

Please feel free to ask our organization if you have any questions about the text amendment or our support for these kinds of solutions.

Thank you for your time,

Ryan Boyd
Mobile: 602-799-4478
Director of Communications, Urban Phoenix Project [urbanphoenixproject.org]



Application No. Z-TA-3-19
Amend Chapter 3, Section 309.A; Chapter 5, Sections 507.G, 507.G.1.c, and 507.G.4.c; Chapter 13, Sections 1301.B, 1301.C, 1303.A, 1304.F, 1305.A, 1306.A, 1310.A, and 1310, Table 1310.1 of the Zoning Ordinance to expand the WU Code boundaries citywide; and amend Appendix A (Zoning Fee Schedule) of the Zoning Ordinance to update fees.
-
Village Planning Committee Summary Results

Village	Information Session	Recommendation		
	Date	Date	Recommendation	Vote
Ahwatukee Foothills	7/26/2021 (No quorum) 8/23/2021 (No quorum) 9/27/2021	10/25/2021	Approval with a modification to expand only to high capacity transit corridors.	6-4-1
Alhambra	7/27/2021	10/26/2021	Denial	13-3-0
Camelback East	8/3/2021	10/5/2021	Denial	10-2
Central City	7/12/2021	10/11/2021	Approval	10-3
Deer Valley	8/12/2021	10/14/2021	Denial	4-3-1
Desert View	7/13/2021 (No quorum) 8/3/2021	10/5/2021	Denial	6-1
Encanto	7/12/2021	10/4/2021	Denial	8-0
Estrella	7/20/2021	10/19/2021	Denial	7-0
Laveen	7/12/2021	10/11/2021	Approval with a modification to expand only to Villlage Cores and high capacity transit corridors.	8-0
Maryvale	7/14/2021	10/13/2021	Approval	6-2
North Gateway	8/12/2021	10/14/2021	Denial	4-0
North Mountain	7/21/2021	10/20/2021	Approval	11-2-2
Paradise Valley	7/12/2021	10/4/2021	Approval	16-0
Rio Vista	7/13/2021	10/12/2021	Denial	3-2
South Mountain	7/13/2021	10/12/2021	Denial	5-4-1

Ahwatukee Foothills
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-19

Date of VPC Meeting	September 27, 2021
Request	Amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts

VPC DISCUSSION:

No requests to speak from the public were received on this item.

Enrique Bojórquez, staff, introduced himself and provided an informational presentation regarding case Z-TA-3-19. The need for this text amendment arises from the Housing Phoenix Plan goals, growing number of TOD areas, pedestrian-oriented design, and no density limitations part of Walkable Urban (WU) code transects. The WU code is a form-based code that places a greater emphasis on design and providing a greater diversity of housing options. The WU code prioritizes walkability, pedestrian infrastructure and shade plus thermal comfort. Examples of various frontage types, walkability, pedestrian infrastructure and shade were provided. Clarification on what the proposed text amendment does and does not accomplish were provided. A description the various sections of the code which are proposed to be amended were provided pertaining to removal of geographic restrictions, clarification of policy plans, design review criteria, single-family attached related changes, shading requirements, clarify relationship between WU code and other code sections, clarification on building frontage types plus standards, clarification of open space requirements, and amending Appendix A related to fee schedules. This text amendment does not propose minimum acreage limitations for charter schools at this time, and a timeline of the text amendment case was provided.

Darin Fisher asked if the committee would receive more information ahead of the next meeting.

Mr. Bojórquez responded that additional information will be provided before the next committee meeting.

Scott Crouch asked if Addendum A of the staff report will be shared with the committee before the next meeting.

Mr. Bojórquez responded that information will be provided to the committee ahead of the next meeting.

Chairman Elliott discussed the text amendment and stated that staff will be sharing additional information regarding the text amendment before the next meeting.

Alhambra
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-19
INFORMATION ONLY

Date of VPC Meeting	July 27, 2021
Request	Presentation and discussion on a request to amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts.

VPC DISCUSSION:
No speaker cards were received

At this time, Solorio arrived bringing to quorum to 14 members (13 being required for a quorum)

STAFF PRESENTATION

Klimek, staff, provided an overview of the request that would allow the Walkable Urban Code (WU Code) to be utilized city-wide and will support the goals of the Housing Phoenix Plan and the Tree and Shade Master Plan. The WU Code emphasizes the form of development, is designed to be more flexible, to better accommodate a mix of uses, and to create a better built environment. When created, the WU Code was envisioned to apply only within approximately one-half mile of light rail and was therefore geographically restricted to only the areas planned through ReinventPHX. Since that time, the light rail has expanded and the newly served areas have not been able to use the WU Code. Additionally, there have been development proposals where the WU Code would have been the best tool in areas such as village cores and new light rail corridors. There have been several projects that have sought a Planned Unit Development which defers broadly to the WU Code so the application of the form-based code is not unprecedented outside of light rail corridors. The text amendment will return to the Village Planning at a future meeting for recommendation.

QUESTIONS FROM COMMITTEE
Adams asked if the expansion will increase density (directly or indirectly) noting that an additional 2,000 units of multifamily are proposed at Christown Spectrum Mall.

- **Klimek** stated that this text amendment does not rezone any property and that, like cases requesting traditional zoning districts, that all cases are reviewed on a case-by-case basis and go through three public hearings.

Adams, noting that the purpose of the expansion is to increase density, asked if there is a study infrastructure capacity such as water, sewer, schools, police, fire, and hospital beds.

- **Klimek** responded that all rezoning cases are routed to interdepartmental reviewers for comment on capacity in addition to being sent to the school districts, APS, and SRP. The WU Code is not a single high-density zone but rather a series of intensities called transects that can be applied to the appropriate context.

Ammon noted that the pedestrian- and transit- orientation of the Walkable Urban Code should produce an environment that does not require as much vehicle parking. He asked if there has been thought in the text amendment to reducing parking requirements for commercial development.

- **Klimek** responded that the text amendment does not modify many of the regulations in the WU Code such as parking requirements. He added that the WU Code does allow for parking reductions when applied within ¼ and ½ mile of a light rail station and that the base parking standards are entirely contained in Section 13 (WU Code) and include some reduced standards from those contained in Section 702 which apply to all other zoning districts. **Ammon** expressed support for reduced vehicle parking requirements.

Solorio noted that there are currently discrepancies in the Single Family Attached Development Option especially in the WU Code. He expressed interest in those specific modifications and requested the proposed language.

- **Klimek** agreed to send.
- **Solorio** added that this expansion will create an important tool for small scale and affordable housing production which is especially important because of the current housing supply and affordability crisis currently facing the city.

Bryck stated that he supports housing production and that the city needs it because rents are becoming increasingly unattainable. He stated that the intent of the ReinventPHX Plans were to fill-in the light rail corridors and expressed concerns that the expansion will: justify density in areas without good transit; will draw development attention away from high capacity transit; will not support the creation of “missing middle housing” products such as townhomes and accessory dwelling units; and will only benefit the institutional developers with the time and money to withstand a long rezoning process.

He added that this process is moving quickly and is glad to see elements of the Housing Phoenix Plan being implemented. He asked that the legalization of Accessory Dwelling Units be prioritized with equal speed. He stated that he would like to see more nuance to the text amendment such as a requirement to make the WU Code only eligible within ¼ or ½ mile of light rail or a Village Core. He added that he doesn’t believe the text amendment gives enough power to staff or the VPC to deter situations where the WU Code is not appropriate.

Adams concurred with Bryck.

PUBLIC COMMENTS
None.

STAFF RESPONSE
None.

FLOOR/PUBLIC DISCUSSION CLOSED: COMMITTEE DISCUSSION
None.

Camelback East
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-19
INFORMATION ONLY

Date of VPC Meeting	August 3, 2021
Request From	Presentation and discussion on a request to amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts.

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Sofia Mastikhina, staff, provided an overview of the proposed text amendment, which would expand the applicability of the Walkable Urban (WU) Code citywide. She explained that currently, only properties along the light rail corridors are eligible to request this form-based zoning district, and that the proposal would allow for properties that are not along the light rail to request WU Code zoning. She outlined the proposed changes to the Zoning Ordinance and noted that the text amendment initiation language includes reference to changing minimum acreage requirements for charter schools – this will not be addressed in this text amendment.

Chair Jay Swart asked how staff will ensure that none of the charter school language is included when this proposal returns to the committee for a vote. **Mastikhina** explained that the text amendment proposal includes an exhibit outlining all of the proposed Zoning Ordinance content changes, so the committee will have an opportunity to review exactly what will be modified.

Central City
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-19
INFORMATION ONLY

Date of VPC Meeting	July 12, 2021
Request	Amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts

VPC DISCUSSION:

Sarah Stockham, staff, reviewed the Walkable Urban Code history, Housing Phoenix Plan goals, growing number of TOD areas, pedestrian-oriented design, and no density limitations part of Walkable Urban (WU) code transects. Ms. Stockham added that the WU code is a form-based code that places a greater emphasis on design and providing a greater diversity of housing options, the WU code prioritizes walkability, pedestrian infrastructure and shade and showed examples of various frontage types. Ms. Stockham clarified what the proposed text amendment does and does not accomplish and described the various sections of the code which are proposed to be amended pertaining to the removal of geographic restrictions, clarification of policy plans, design review criteria, single-family attached related changes, shading requirements, clarify relationship between WU code and other code sections, clarification on building frontage types plus standards, clarification of open space requirements, and amending Appendix A related to fee schedules. Ms. Stockham concluded that this text amendment does not propose minimum acreage limitations for charter schools at this time, and a timeline of the text amendment case was provided.

Eva Olivas asked for clarification on the proposed addition to the fee schedule. **Ms. Stockham** replied that the interim fees used by staff will be codified in into the fee schedule table, and that they are not proposed to increase or decrease from their current rate.

Ryan Boyd shared that while he likes the idea of expanding the option of WU Code zoning, he asked the committee if other parts of the code should be updated for the times.

Chris Colyer replied that was a great question and that some issues with the code might be site specific, but he will think about his experience with WU Code projects and supports the text amendment.

Darlene Martinez thanked Mr. Boyd for this question and for Mr. Colyer for his response, understanding that some conflicts with the code might be site-specific.

Deer Valley
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-19
INFORMATION ONLY

Date of VPC Meeting	August 12, 2021
Request	Presentation and discussion on a request to amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts.

VPC DISCUSSION:

Mr. David Simmons, staff, provided an overview of the proposed text amendment, which would expand the applicability of the Walkable Urban (WU) Code citywide. He explained that currently, only properties along the light rail corridors are eligible to request this form-based zoning district, and that the proposal would allow for properties that are not along the light rail to request WU Code zoning. He outlined the proposed changes to the Zoning Ordinance and noted that the text amendment initiation language includes reference to changing minimum acreage requirements for charter schools – this will not be addressed in this text amendment.

Chairman Joseph Grossman asked if light rail is being considered for the Deer Valley Village area.

Mr. Simmons shared that light rail options are not currently being considered for the Deer Valley Village area. Mr. Simmons also shared that this request would provide an alternative zoning application option to prospective applicants.

Village Planning Committee Meeting Summary
Z-TA-3-19
INFORMATION ONLY

Date of VPC Meeting	August 3, 2021
Request	Presentation and discussion on a request to amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts.

VPC DISCUSSION:

Committee members Joseph Barto and Jill Hankins arrived to the meeting during this item, bringing the quorum to 9 members.

Julianna Pierre stated that the intent of Z-TA-3-19 is to allow the Walkable Urban (WU) Code to be applied to properties citywide. She stated that this will allow property owners along future light rail extensions, within Transit Oriented Development (TOD) policy plan areas, and other appropriate areas of the City to request rezoning to rezone to WU Code. She provided a brief history of the creation of Chapter 13 of the Zoning Ordinance regarding WU Code. She explained the existing WU code boundaries and transects.

Julianna Pierre explained that Z-TA-3-19 will support the goals of the Housing Phoenix Plan and prevent the need for future amendments to continue adding references to newly approved TOD policy plans. She stated that the text amendment will remove geographic restrictions on WU Code, allow property owners to apply to rezoned to WU Code, and update standards regarding single family attached residential development outside TOD districts. She clarified that the text amendment will not automatically rezone any property or modify the rezoning process. She also provided a summary of the proposed changes to the Zoning Ordinance.

Julianna Pierre discussed that amendments to Appendix A, the fee schedule, will establish the administrative fees for requests to rezone to WU code, but will not change any non-WU Code fees.

Committee member Rick Powell asked how allowing WU Code throughout the entire City would affect neighborhoods with Historic Preservation (HP) designation. **Julianna Pierre** stated that properties with HP designation would

still be subject to the HP section of the Zoning Ordinance and the applicant would need to correspond with the City's HP Office.

Committee member Jill Hankins stated that the analysis for future Transit Oriented Districts (TOD) should include distance to parks. **Julianna Pierre** stated that she would pass that recommendation along to the staff working on the text amendment.

Committee member Rick Nowell asked if there would be new information presented on this item at the next meeting. **Julianna Pierre** stated that there may be new information. She added that staff members working on the text amendment are taking comments and concerns from the Village Planning Committee (VPC) members prior to coming back for recommendation.

Committee member Michelle Santoro asked for clarification regarding transects and the rezoning process. **Julianna Pierre** explained that since the process to rezone to WU Code would be the same as any other rezoning, applicants and developers would receive feedback from staff about the appropriateness of certain transects.

Vice Chair Louis Lagrave stated that WU code makes sense to keep mobility and modernity in the core of the City. He added that this could be helpful since walkability could be better throughout Phoenix.

Committee member Rick Powell asked for clarification regarding transects. **Julianna Pierre** explained the twelve transect districts and how those districts vary in intensity. **Committee member Rick Powell** asked why WU Code should be permitted in Desert View. **Julianna Pierre** explained that even at lower densities, WU Code would promote pedestrian oriented design with improved walkability, infrastructure, and shade. **Committee member Rick Powell** stated that WU Code made sense near transit, but not in Desert View. He added that this seemed like a way for developers to push higher density. **Committee member Michelle Santoro** stated that if WU Code was utilized in Desert View, the City would assess the appropriate transect for the area.

Vice Chair Louis Lagrave asked for clarification about the WU Code frontage types. **Julianna Pierre** explained the different frontage types and showed imagery from Chapter 13 of the Zoning Ordinance. She added that each transect would permit certain frontage types. **Vice Chair Louis Lagrave** stated that the frontage types are not compatible with the City or with the southwest character. **Committee member Jill Hankins** stated that the frontage types provide shade and create an outside-inside design, which is conducive to the southwest.

Bramley Paulin, a member of the public, stated that he was concerned with the idea of allowing WU Code City wide. He added that this is an opportunity for the City to bring in density which will result in additional traffic, congestion, and people.

Encanto
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-19
INFORMATION ONLY

Date of VPC Meeting	July 12, 2021
Request	Presentation and discussion on a request to amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts.

VPC DISCUSSION:

One speaker card was received on this item in support with the individual wishing to speak.

STAFF PRESENTATION

Klimek, staff, provided an overview of the request that would allow the Walkable Urban Code (WU Code) to be utilized city-wide and will support the goals of the Housing Phoenix Plan and the Tree and Shade Master Plan. The WU Code emphasizes the form of development, is designed to be more flexible, to better accommodate a mix of uses, and to create a better built environment. When created, the WU Code was envisioned to apply only within approximately one-half mile of light rail and was therefore geographically restricted to only the areas planned through ReinventPHX. Since that time, the light rail has expanded and the newly served areas have not been able to use the WU Code. Additionally, there have been development proposals where the WU Code would have been the best tool in areas such as village cores and new light rail corridors. There have been several projects that have sought a Planned Unit Development which defers broadly to the WU Code so the application of the form-based code is not unprecedented outside of light rail corridors. The text amendment will return to the Village Planning at a future meeting for recommendation.

QUESTIONS FROM COMMITTEE

Vice Chair Bryck asked if the proposed text amendment had been provided.

- **Klimek** responded that it will be provided with the staff report which is currently in development.

Chairman Kleinman asked whether the development community is driving the request and who initiated the text amendment. **Searles** echoed the question about who is driving the text amendment.

- **Klimek** responded that this was initiated by the Planning Commission at the request of the City Council and the Planning and Development Department. He added that the expansion of the Walkable Urban Code had been in discussion for years.

Chairman Kleinman asked how this would apply to a project such as the Country Club tower.

- **Klimek** responded that the Walkable Urban Code would have been an option for the Country Club proposal but that an analysis of policy would still need to support the scale proposed. He added that the provisions of the WU Code would require compliant frontage types on both public streets.

PUBLIC COMMENTS

Mitchell Willard introduced himself as the Director of Development for the Urban Phoenix Project and voiced their support for the text amendment on the basis that it will allow private property owners to increase to improve the quality of life across the city through benefits such as increase shade and bringing the parents of the street which would not only benefit developers, but also the community at large. By promoting shade and walkability in private developments, the expansion of the code is one tool to get the city walking, bicycling, and using transit in their city. On a larger scale, he noted that a more flexible code that focuses on creating a high-quality pedestrian environment with opportunities for mixed-use will support affordability.

STAFF RESPONSE
None.

FLOOR/PUBLIC DISCUSSION CLOSED: COMMITTEE DISCUSSION

The committee discussed the proposal with the following highlights.

Concerns that the expansion of the WU Code will:

- only benefit institutional builders;
- dilute the incentive of focusing development along light rail corridors;
- not help create missing-middle housing;
- not make sense because it was written to facilitate transit oriented development and this expansion will allow those incentive standards without transit;

Support that the expansion of the WU Code on the basis that it

- should accommodate transit-oriented development only along light rail including the new lines, but not be expanded city-wide;

Additional comments:

- The requirements of the rezoning process exclude small owners and developers necessary to create missing middle housing. Incentives should be targeted to support missing middle housing through small, non-institutional builders.

- The WU Code was intended to be narrowly focused around light rail and should remain focused around major public investments in transit.
- The WU Code allows for more negotiation which is good and bad.

Estrella
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-19
INFORMATION ONLY

Date of VPC Meeting	July 20, 2021
Request	Presentation and discussion on a request to amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts.

VPC DISCUSSION & RECOMMENDATION:

No requests to speak from members of the public were received.

Enrique Bojórquez, staff, introduced himself and provided an informational presentation regarding case Z-TA-3-19. The need for this text amendment arises from the Housing Phoenix Plan goals, growing number of TOD areas, pedestrian-oriented design, and no density limitations part of Walkable Urban (WU) code transects. The WU code is a form-based code that places a greater emphasis on design and providing a greater diversity of housing options. The WU code prioritizes walkability, pedestrian infrastructure and shade plus thermal comfort. Examples of various frontage types, walkability, pedestrian infrastructure and shade were provided. Clarification on what the proposed text amendment does and does not accomplish were provided. A description the various sections of the code which are proposed to be amended were provided pertaining to removal of geographic restrictions, clarification of policy plans, design review criteria, single-family attached related changes, shading requirements, clarify relationship between WU code and other code sections, clarification on building frontage types plus standards, clarification of open space requirements, and amending Appendix A related to fee schedules. This text amendment does not propose minimum acreage limitations for charter schools at this time, and a timeline of the text amendment case was provided.

Lisa Perez has concerns over expanding WU code in some parts of the city, especially areas along the western edge of the Estrella Village. She supports the WU code, but wants to make sure that the expansion areas are appropriate.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Laveen
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-19
INFORMATION ONLY

Date of VPC Meeting	July 12, 2021
Request	Presentation and discussion on a request to amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts.

VPC DISCUSSION:

Sofia Mastikhina, staff, provided an overview of the proposed text amendment, which would expand the applicability of the Walkable Urban (WU) Code citywide. She explained that currently, only properties along the light rail corridors are eligible to request this form-based zoning district, and that the proposal would allow for properties that are not along the light rail to request WU Code zoning. She outlined the proposed changes to the Zoning Ordinance and noted that the text amendment initiation language includes reference to changing minimum acreage requirements for charter schools – this will not be addressed in this text amendment.

PUBLIC COMMENT

Dan Penton asked if staff can provide a workshop to committee and community members to provide a more in-depth explanation of the WU Code, as it is not something that Laveen has dealt with before. He asked if this text amendment would make it applicable to Laveen. **Mastikhina** replied yes, a workshop can be arranged, and explained that, if this text amendment is approved, the WU Code zoning would be applicable citywide. However, it does not automatically change individual properties' zoning designations. A property owner would still need to go through the regular rezoning process to request WU Code zoning, just like any other zoning district.

Cory Kinkaid, with the Urban Phoenix Project, explained the goal of his organization, which is to help Phoenix become a city where walking, biking, and transit are comfortable and convenient options. He expressed support for the text amendment, stating that it would greatly improve walkability throughout the city.

COMMITTEE QUESTIONS

Robert Branscomb asked staff to explain the committee that reviews WU Code applications, and if they provide a recommendation to the City Council on these types of developments. **Mastikhina** replied that there is one committee, the Design Review

Committee, which reviews and approves applications for design alternatives that deviate from the standards set forth in the WU Code. They review to ensure that the intent of creating a walkable urban fabric is upheld via proposed design alternatives. They are also a quasi-judicial hearing body, much like the Zoning Adjustment Hearing Officer, and their decision is final. If appealed, the case will ultimately go to the Arizona Supreme Court.

Chair Tonya Glass expressed her support for the proposal and asked if there will also be development of corridor plans to aid in achieving the architectural aesthetic that the community wants for Laveen. **Mastikhina** replied that this is a great idea, and that subsequent plans and policies following the adoption of this text amendment, as they relate to the appropriateness of a form-based code depending on individual village character, is something that staff may pursue.

Maryvale
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-19
INFORMATION ONLY

Date of VPC Meeting	July 14, 2021
Request	Amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts.

VPC DISCUSSION:

Sarah Stockham, staff, reviewed the Walkable Urban Code history, Housing Phoenix Plan goals, growing number of TOD areas, pedestrian-oriented design, and no density limitations part of Walkable Urban (WU) code transects. Ms. Stockham added that the WU code is a form-based code that places a greater emphasis on design and providing a greater diversity of housing options, the WU code prioritizes walkability, pedestrian infrastructure and shade and showed examples of various frontage types. Ms. Stockham clarified what the proposed text amendment does and does not accomplish and described the various sections of the code which are proposed to be amended pertaining to the removal of geographic restrictions, clarification of policy plans, design review criteria, single-family attached related changes, shading requirements, clarify relationship between WU code and other code sections, clarification on building frontage types plus standards, clarification of open space requirements, and amending Appendix A related to fee schedules. Ms. Stockham concluded that this text amendment does not propose minimum acreage limitations for charter schools at this time, and a timeline of the text amendment case was provided.

Sandra Oviedo asked how they could bring the Walkable Urban Code projects to Maryvale, what is the incentive to rezone to the Walkable Urban Code and if this will require the installation of bike lanes. **Ms. Stockham** replied that this text amendment does not rezone any property outright, but it allows property owners the option to rezone to the Walkable Urban Code citywide, the installation of bike lanes for a project is done with the collaboration of the Street Transportation Department and one of the incentives is the no limit on density for Walkable Urban Code projects.

Chair Gene Derie clarified that this text amendment would allow the Walkable Urban Code as an option for rezoning requests.

Mike Weber shared that he had observed many stucco-covered communities near light rail which do not appear to be architecturally-design focused and while there are bicycle lanes in the Valley they are rarely used because street conditions are unsafe.

North Gateway
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-19

Date of VPC Meeting	August 12, 2021
Request	Presentation and discussion on a request to amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts.

VPC DISCUSSION:

Julianna Pierre stated that the intent of Z-TA-3-19 is to allow the Walkable Urban (WU) Code to be applied to properties citywide. She stated that this will allow property owners along future light rail extensions, within Transit Oriented Development (TOD) policy plan areas, and other appropriate areas of the City to request rezoning to rezone to WU Code. She provided a brief history of the creation of Chapter 13 of the Zoning Ordinance regarding WU Code. She explained the existing WU code boundaries and transects.

Julianna Pierre explained that Z-TA-3-19 will support the goals of the Housing Phoenix Plan and prevent the need for future amendments to continue adding references to newly approved TOD policy plans. She stated that the text amendment will remove geographic restrictions on WU Code, allow property owners to apply to rezoned to WU Code, and update standards regarding single family attached residential development outside TOD districts. She clarified that the text amendment will not automatically rezone any property or modify the rezoning process. She also provided a summary of the proposed changes to the Zoning Ordinance.

Julianna Pierre discussed that amendments to Appendix A, the fee schedule, will establish the administrative fees for requests to rezone to WU code, but will not change any non-WU Code fees.

North Mountain
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-19
INFORMATION ONLY

Date of VPC Meeting	July 21, 2021
Request	Presentation and discussion on a request to amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts.

VPC DISCUSSION:
No speaker cards were received

STAFF PRESENTATION

Klimek, staff, provided an overview of the request that would allow the Walkable Urban Code (WU Code) to be utilized city-wide and will support the goals of the Housing Phoenix Plan and the Tree and Shade Master Plan. The WU Code emphasizes the form of development, is designed to be more flexible, to better accommodate a mix of uses, and to create a better built environment. When created, the WU Code was envisioned to apply only within approximately one-half mile of light rail and was therefore geographically restricted to only the areas planned through ReinventPHX. Since that time, the light rail has expanded and the newly served areas have not been able to use the WU Code. Additionally, there have been development proposals where the WU Code would have been the best tool in areas such as village cores and new light rail corridors. There have been several projects that have sought a Planned Unit Development which defers broadly to the WU Code so the application of the form-based code is not unprecedented outside of light rail corridors. The text amendment will return to the Village Planning at a future meeting for recommendation.

QUESTIONS FROM THE COMMITTEE
None.

PUBLIC COMMENTS
None.

STAFF RESPONSE
None.

FLOOR/PUBLIC DISCUSSION CLOSED: COMMITTEE DISCUSSION
Chair Krentz thanked Klimek for the presentation.

At this time, Veidmark and Herrera arrived bringing the quorum to 16 members (11 being required for a quorum).

Paradise Valley
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
INFORMATION ONLY
Z-TA-3-19

Date of VPC Meeting	July 12, 2021
Request	Amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Mr. David Simmons, staff, provided an overview of the request to include background of how the WU Code came to fruition in the first place. He went over what this Text Amendment request would update to include the expansion on the WU Code boundaries, amendment of the zoning fee schedule, and minimum acreage limitations for Charter Schools. Mr. Simmons elaborated on why expanding the WU-Code boundaries would help the growth of the City of Phoenix. He shared that it would support the Housing Phoenix Plan, it would promote pedestrian oriented design and set no limit on dwelling unit density. Further, Mr. Simmons shared that the Kierland area has largely redeveloped through PUD rezoning requests, which utilize WU-Code standards in the PUD narratives. Mr. Simmons also went over WU-Code design standards, which focus on design rather than land use, a form based code. Mr. Simmons shared the hearing schedule with the committee, stating that this will come back in front of them for recommendation in the near term.

VPC Response:

No discussion

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:
None.

Village Planning Committee Meeting Summary
Z-TA-3-19
INFORMATION ONLY

Date of VPC Meeting	July 13, 2021
Request	Presentation and discussion on a request to amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts.

VPC DISCUSSION:

Committee member Scott Lawrence arrived to the meeting during this item, bringing the quorum to 5 members.

Julianna Pierre stated that the intent of Z-TA-3-19 is to allow the Walkable Urban (WU) Code to be applied to properties citywide. She stated that this will allow property owners along future light rail extensions, within Transit Oriented Development (TOD) policy plan areas, and other appropriate areas of the City to request rezoning to rezone to WU Code. She provided a brief history of the creation of Chapter 13 of the Zoning Ordinance regarding WU Code. She explained the existing WU code boundaries and transects.

Julianna Pierre explained that Z-TA-3-19 will support the goals of the Housing Phoenix Plan and prevent the need for future amendments to continue adding references to newly approved TOD policy plans. She stated that the text amendment will remove geographic restrictions on WU Code, allow property owners to apply to rezoned to WU Code, and update standards regarding single family attached residential development outside TOD districts. She clarified that the text amendment will not automatically rezone any property or modify the rezoning process. She also provided a summary of the proposed changes to the Zoning Ordinance.

Julianna Pierre discussed that amendments to Appendix A, the fee schedule, will establish the administrative fees for requests to rezone to WU code, but will not change any non-WU Code fees.

Chair Massimo Sommacampagna asked how developers would know what transect to apply for. **Julianna Pierre** explained that since the process to rezone to WU Code would be the same as any other rezoning, applicants and

developers would receive feedback from staff about the appropriateness of requests during the Rezoning Pre-Application meeting. She added that there will be public and Committee member input during the rezoning process, as with any other rezoning case.

Chair Massimo Sommacampagna asked for clarification regarding the expansion of the WU Code and the rezoning process. **Julianna Pierre** explained that the expansion would not automatically rezone any properties. She stated that WU Code rezoning cases would be handled on a case by case basis. She added that location, existing density, and existing infrastructure could all be factors that influence appropriateness of a request.

South Mountain
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-19
INFORMATION ONLY

Date of VPC Meeting	July 13, 2021
Request	Presentation and discussion on a request to amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts.

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

One member of the public registered to speak on this item.

Enrique Bojórquez, staff, introduced himself and provided an informational presentation regarding case Z-TA-3-19. The need for this text amendment arises from the Housing Phoenix Plan goals, growing number of TOD areas, pedestrian-oriented design, and no density limitations part of Walkable Urban (WU) code transects. The WU code is a form-based code that places a greater emphasis on design and providing a greater diversity of housing options. The WU code prioritizes walkability, pedestrian infrastructure and shade plus thermal comfort. Examples of various frontage types, walkability, pedestrian infrastructure and shade were provided. Clarification on what the proposed text amendment does and does not accomplish were provided. A description the various sections of the code which are proposed to be amended were provided pertaining to removal of geographic restrictions, clarification of policy plans, design review criteria, single-family attached related changes, shading requirements, clarify relationship between WU code and other code sections, clarification on building frontage types plus standards, clarification of open space requirements, and amending Appendix A related to fee schedules. This text amendment does not propose minimum acreage limitations for charter schools at this time, and a timeline of the text amendment case was provided.

Gene Holmerud asked if this text amendment is going to be presented to all the Village Planning Committees (VPC's).

Mr. Bojórquez responded that this text amendment case is to be presented to all the VPC's in the next few weeks.

Marcia Busching stated that expanding the Walkable Urban (WU) code is good, but she is concerned with allow it citywide. WU code should be limited along arterial streets.

Trent Marchuk asked if the regulations in the Overlay Districts would prevail over WU code.

Mr. Bojórquez stated that his understanding is that regulatory Overlay Districts would prevail over WU code zoning.

Joseph Larios asked on the input from the other VPC's regarding this text amendment case.

Mr. Bojórquez responded that this is just the second night where the text amendment is presented to a VPC.

Shelly Smith asked how the city will address existing infrastructure and can the city require existing properties to conform to new requirements.

Gene Holmerud discussed the concept of grandfathered entitlements and difficulty with requiring new improvements unless safety is at risk.

Chairwoman Daniels asked if there is a city department or budget set aside to build new sidewalks or rehabilitate existing ones in parts of the city.

Mr. Bojórquez stated that he is not directly involved in related efforts but imagines that once a project is approved by the city, it is very difficult to require additional improvements to a specific property once this has been okayed to operate. He is not knowledgeable on the specific budget items within the overall city budget, but imagines there is funding for maintenance or repair of infrastructure, including sidewalks.

Lee Coleman stated that new sidewalks are being installed in his neighborhood, and it is difficult to require additional improvements after the city approves a project.

Mr. Marchuk asked about the 5-percent open space requirement and if new parks would be developed throughout the city to accommodate for new residents.

Mr. Bojórquez responded that the 5-percent open space requirement is the same as currently required for multifamily uses in conventional zoning districts. He added that the Parks and Recreation Department has identified proposed park sites in a city wide plan.

Fatima Said asked if there is an incentive to developers to use WU code zoning and stated that the Chicanos Por La Causa rezoning PUD case should be considered as this project is displacing residents.

Mr. Bojórquez responded that WU code zoning does not have a density cap and requires enhanced street frontages that will help improve a project.

Greg Brownell stated that there is no real incentive for developers and does not foresee new park sites being built in the future.

Chairwoman Daniels likes WU code due to potential economic development opportunities and could see new projects being built along the Rio Salado and between 7th Avenue to 7th Street. She agrees that no new park sites will likely be built in the South Mountain Village.

Bramley Paulin, member of the public, introduced himself and discussed two questions that he had regarding this text amendment case:

- Are there any land uses allowed today that would be considered legally non-conforming if this text amendment is approved?
- Will the rezoning process to seek WU code allow for public input?

Chairwoman Daniels thanked Mr. Paulin and asked staff for clarification on the questions.

Mr. Bojórquez responded that this text amendment case does not affect individual properties, only properties that would be seeking rezoning in the future. He also mentioned that public input will remain part of the rezoning process, including for WU code zoning.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

On July 23, 2021 staff sent an email to all member of the South Mountain Village Planning Committee correcting the statement made during the July 13, 2021 meeting regarding Overlay Districts superseding the Walkable Urban (WU) code zoning. Staff clarified that the WU code zoning will supersede regulatory Overlay Districts which are present on any specific property in regards to applicable development standards.

Ahwatukee Foothills
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-19

Date of VPC Meeting	October 25, 2021
Request	Amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts
Recommendation	Approval per the staff recommendation in Addendum A with modifications
Vote	**6-4-1,** motion passed; Members Benezra, Crouch, Meier, Pritchette, Gasparro and Elliott in favor; Members Fisher, Maloney, Sharer and Symes in dissent. Member Holt abstained.

VPC DISCUSSION:

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

Enrique Bojórquez, staff, introduced himself and provided a presentation on this citywide text amendment case Z-TA-3-19. He provided a summary of the request involving the expansion of the Walkable Urban (WU) Code applicability area, noting the existing boundaries where WU Code is available today. He discussed the need for this text amendment given the expansion of mass-transit to other parts of the city. He discussed elements of the WU Code which prioritize the pedestrian environment and explained the transect district acronym plus unique development standards. Examples of what each transect district could look like were provided. This proposal would allow property owners to rezone to WU Code citywide and update standards regarding single-family attached standards outside of TOD areas. This proposal does not rezone any property, does not modify the current rezoning process, does not modify the applicability or standards of adopted City policy plans including TOD District plans. Addendum A of the staff report revises applicability of regulatory overlay districts and plans, plus adds Administrative Temporary Use Permit fees. An overview of existing zoning tools, rezoning evaluation process and impacts was provided. Staff recommends approval per Addendum A of the staff report and discussed the schedule for this case.

Chairman Elliott asked for committee member questions or comments from the public.

Neal Haddad, member of the public, stated that this text amendment case is putting the cart before the horse, as the concept does not work without having a transect map. A vision document like the General Plan that incorporates citizen input is needed for this vision. This case has a generational impact, and VPC members should not be forced into deciding without understanding this better. Other VPC's have denied this request and requests that this committee also vote to deny this case.

Bramley Paulin, member of the public, stated that this text amendment is better suited for TOD areas like the original WU Code applicability boundary. There was no public input on this proposal, which allows parking waivers without imposing a cap on density. He wonders who will decide on what WU Code transect is appropriate citywide. Homeowners are left wondering where development will happen and will have to battle each project with an applicant's attorney regarding the density. Eight Village Planning Committees have denied this case and asked the committee to deny the request too.

Alex Benezra stated that a walkable street was designed to resemble something like the Miracle Mile corridor along McDowell Road. He asked the speaker on what a walkable street should look like.
Mr. Paulin responded that if staff provided more details on the request, there might be areas where this could be appropriate. McDowell Road is not a walkable street and discussed the corridor. This is an issue largely of encouraging higher density in neighborhoods.

Mr. Benezra asked if this proposal seems to be ahead of where the city is at now.

Mr. Paulin responded that the issue is cramming density into established neighborhoods. The city needs housing and discussed the original proposal for the WU Code which limited the applicability areas along light rail transit.

Ryan Boyd, member of the public, supports this text amendment which will allow WU Code as an option citywide. He stated that all can agree that at a minimum WU Code is appropriate along TOD areas, but there are other areas where it could be appropriate. There was lots of public input during the Housing Phoenix Plan adoption, which discussed the potential expansion of WU Code. This allows for a wide range of housing options through various transects which are not all high intensity transects.

Mike Maloney asked staff for clarification on why this text amendment case is being requested. **Mr. Bojórquez** responded that this case is being requested for two primary reasons including the expansion of mass-transit corridors throughout the city. Also, WU Code will allow for the various forms of housing types.

Chairman Elliott asked staff for clarification on the applicability for this text amendment case. **Mr. Bojórquez** responded by discussed the staff recommendation found in Addendum A of the staff report, which proposes to allow WU Code citywide. However, the Village Planning Committee may impose a geographic restriction to limit the applicability of WU Code to areas such as Village Cores and/or mass-transit corridors, among other recommendations.

Darin Fisher asked for clarification of how the WU Code would affect the Village.
Mr. Bojórquez responded this text amendment case would allow property owners to rezone to WU Code across the city or based on the geographic restrictions if

imposed by the committee. He discussed the location of the Ahwatukee Foothills Village Core.

Darin Fisher stated that the Village Core along 48th Street and Ray Road is one of the most dangerous intersections in the Ahwatukee Foothills Village for pedestrians. **Mr. Bojórquez** responded that the committee could limit this text amendment only to apply along mass-transit corridors if Village Cores were a concern.

Mr. Benezra agrees with Mr. Fisher regarding the Ahwatukee Foothills Village Core being a dangerous location for more pedestrians. He would love Phoenix to be more walkable and feels that there are areas of the city where WU Code could be more appropriate.

Chairman Elliott asked for further discussion or a motion on this item.

MOTION:

Mr. Benezra motioned to approve case Z-TA-3-19 per the staff recommendation in Addendum A of the staff report, with a modification that restricts the applicability area of the WU Code to only along mass-transit corridors. **Mr. Meier** seconded the motion.

VOTE:
6-4-1, motion passed; Members Benezra, Crouch, Meier, Pritchette, Gasparro and Elliott in favor; Members Fisher, Maloney, Sharer and Symes in dissent. Member Holt abstained.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Alhambra
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-19

Date of VPC Meeting	October 26, 2021
Request	Presentation, discussion, and possible recommendation regarding a request to amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts and administrative temporary use permits.
Recommendation	Deny
Vote:	13-3-0, motion passes with: Adams, Ammon, Bryck, DeGraffenreid, Ender, Fitzgerald, Harris, Jones, Krietor, LeBlanc, Malkoon, McCabe, and Smith in support; Keyser, Solorio, and Chair Shore in dissent; and none in abstention.

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Ammon arrived bringing the quorum to 16 members (11 being required for a quorum).

STAFF PRESENTATION
Klimek, staff, provided an overview of the proposed text amendment which was presented to all village planning committees in July. The input received from the informational sessions was studied and the staff recommendation was revised in Addendum A which is now before the committee for a possible recommendation.

The WU Code was originally written to apply only within approximately one-half mile from light rail lines but, since that time it's became clear that the WU Code's form-based approach would be appropriate areas outside of light rail corridors, such as village cores and other high-capacity transit lines. The request removes geographic constraints and would allow owners to request rezoning to the WU Code city-wide. The request does not rezone any property, modify any process, or modify any existing policy plan or standard. The language proposed in Addendum A cleans up the original proposal to clarify how the WU Code will interact with other sections of the code.

The WU Code contains a continuum of urban forms intended to be deployed in different contexts, from suburban to downtown scales, all with an emphasis on

trees, shade, and human scale. Some have expressed the concern that the WU Code expansion would proliferate high-density development throughout the city but explained that this is a misconception because there are existing zoning tools that allow high density development in areas where the WU Code is not currently an option, including Planned Unit Developments. While certain WU Code Transects allow for high density, these transects prescribe pedestrian-oriented requirements that are not required in alternative high-density options. The rezoning process includes substantial oversight including two meetings with staff, one neighborhood meeting, and three public hearings – all focused on determining the appropriateness of a request.

He then provided an overview of the contents of Addendum A and concluded by stating that staff is recommending approval with the item scheduled to appear before the Planning Commission in November.

QUESTIONS FROM COMMITTEE
Adams expressed concern that this will allow intensity where it doesn't below and asked staff if the request is motivated by a desire to increase revenue. **Klimek** stated that the request doesn't rezone any property and doesn't change any process, thereby not a tactic to increase development activity. Where appropriate, the WU Code will produce a better built environment and the purpose of the TA is to allow it as another tool.

LeBlanc asked why other committees have opposed the request. **Klimek** responded that several have expressed concern about how the WU Code will be implemented outside of light rail corridors, about how it should be limited to light rail corridors only, and others felt there should have been more public engagement.

Malkoon noted that he has seen several WU Code projects that appear to have gotten out of their requirement for detached sidewalks including at the northwest corner of Central Avenue and Indian School Road. Explaining how important it is for pedestrian safety, he asked how developers are avoiding these requirements in WU Code. **Klimek** responded that shaded and detached sidewalks are required by the WU Code, that he does not have information regarding the project referenced but explained that there is a provision that allows for attached sidewalks if a utility conflict exists.

Ender asked if multi-story buildings are permitted to build anywhere within one-half mile of light rail. **Klimek** responded that the WU Code is not granted to any property by-right without a rezoning process, only that in the original ReinventPHX Planning Areas, an applicant can request to use the WU Code if they desire but they would still need to go through the rezoning process. **Ender** expressed concern that the request may have unintended consequences and the TA does not offer sufficient protections.

Jones expressed concern regarding the likelihood for unintended consequences on areas such as North Central or Arcadia and that this city-wide expansion would open the floodgates to high density requests. He asked staff for the best argument in support. **Klimek** responded that there are areas outside of the areas currently served by light rail where WU Code would be the best tool, including additional high-capacity transit corridors and village cores.

Fitzgerald stated that this is a one-size fits all approach that will make it easier for developers to max-out their entitlements and will be voting no because it gives the city and the developers too much flexibility.

Bryck stated that he supports housing development especially missing middle products, but the WU Code was written explicitly to accompany the ReinventPHX plans which had significant public engagement to thoughtfully map each property with a recommended transect. In these areas, the WU Code was intended as an incentive to fill in underutilized parcels with development and that he is concerned the expansion will draw development away from where it is needed and where it was planned through ReinventPHX before the core is built-out.

Ammon echoed Bryck's comments. He asked what isn't working that makes this TA necessary such as processes or districts that need to be modified or replaced. He also asked where he can find materials to gain a much deeper understand of this and its potential implications. **Klimek** responded that some of the existing zoning tools are not adaptable to the diverse contexts of the city and the WU Code was specifically written for areas that have or desire a walkable urban form, such as 19North, South Central, or the village cores. For a deeper understanding, he recommended the staff reports as the most thorough analysis available at this time.

Keyser sought to confirm the following: the TA does not rezone property; the TA does not change any processes; and the TA does not change development policy to support intensity at the interior of neighborhood. **Klimek** confirmed. **Keyser** stated that the WU Code contains many elements that the community wants and that the VPC often stipulates including shaded and detached sidewalks which was urgently needed. Instead of a handout to developers, he stated that this feels like it will create better built environments in areas most appropriate for intensity, such as arterial streets. **Klimek** stated that while people often think of intensity when they think of development, there have been two good examples of two- and three – story infill development projects in the Encanto Village. These projects utilized the WU Code, and the form-based approach allowed the applicants to tailor their project to the context of the neighborhood.

Solorio stated that an element missing from the discussion is the number of requests that are rejected by staff or the Council Offices before they ever begin the formal rezoning process or reach the VPC. The expanded WU Code will not

open the floodgates to inappropriate requests because staff processes and public processes will remain unchanged. The WU Code is a good tool to deliver missing middle housing in a form that is walkable.

McCabe stated that the WU Code is an effective tool and that he sees many areas where it could be effectively. He explained that he is generally supportive but that he will be keeping an open mind during public comment and discussion.

Harris stated that this isn't a free pass to developers because it does not change existing city processes. She asked if this could be amended in the future. **Klimek** confirmed that the code can be changed through a TA process identical to this one.

Adams stated that this will open the floodgates to inappropriate requests and that stringent processes and evaluations will eventually erode.

Jones stated that there is no reason to support this request and that other zoning districts could be amended to reflect priorities such as shade.

Keyser stated that projects succeed or fail on their own merits and that this TA only allows a new tool that could be considered in other parts of the city. If expanded, projects requesting WU Code would still succeed or fail on their own merits due to staff processes and the public processes.

PUBLIC COMMENTS
Ryan Boyd (registered in support of the item) introduced himself as being with the Urban Phoenix Project and thanked the members for their great discussion. He expressed that this TA is about options and that the Village, Planning Commission, and City Council can recommend approving or deny any request that comes before them based on appropriateness. He added that one of the reasons he supports to TA is because of the Housing Phoenix Plan and its dire need for additional housing, especially in small forms such as duplexes and multifamily which is best handled through a form-based code. He added that the lowest intensity transects permit a suburban form of development and even for low density redevelopment, an applicant would still need to navigate the 6-month rezoning process.

Bramley Paulin (registered in neutrality to this item) stated that the WU Code was specifically designed for properties along the light rail and its standards encourage reduced setbacks, increase of dwelling units, and reduction of parking. He stated that this is not appropriate for all areas of the city and that it was not ever created for this purpose. He stated that this request is an attack on established single-family residential neighborhoods and that this is part of the city's effort to add 50,000 dwelling units throughout the city, including in established neighborhoods. He concluded by sharing that 8 VPCs have recommended denial.

Neal Haddad (registered in opposition to item) introduced himself as being from the Neighborhood Coalition of Greater Phoenix. The WU Code only makes sense when transit is present and, in Phoenix that area is limited so, he asked why it makes sense to expand a transit-oriented code to govern land that is not walkable and served by transit. He added that the Congress for New Urbanism has stated that a form-based code should be accompanied by a transect map that has been developed with public input to guide density to where it belongs. At this stage, there are no standards or vision for how the code will be applied.

Opal Wagner (registered in opposition to item) introduced herself and stated that, like Member Jones, she has not heard a compelling reason for the TA. She stated that she supports the light rail and supports the WU Code but that it was written and adopted specifically to govern development along the light rail and the TA too broadly redefines the purpose of the Code. She expressed concern that this may promote auto-dependance by supporting density in areas without transit. She added that the WU Code includes parking reductions which only makes sense with high-capacity transit.

Anne Ender (registered in opposition to item) introduced herself as representing the North Central Phoenix Homeowners Association and stated that the board unanimously opposes this text amendment. There are not sufficient protections to neighborhoods and there are not enough details on how and where the WU Code will be implemented. She stated the light rail has blighted many of the neighborhoods with drugs and crime and that it is only though cooperation with law enforcement that neighborhoods have been able to protect themselves.

Nicole Rodriguez (registered in opposition to item) introduced herself as a member of the Encanto Village Planning Committee and echoed the concerns voiced by Member Bryck. She added that there is a way for the Village Planning Committees to invoke a text amendment and that these committees do not need to rely on the City Council or Planning Commission to make the first move. She stated that she supports WU Code in all light rail corridors but that this is not the right process to accomplish that outcome.

Andi Abkarian (registered in opposition to item) introduced herself and thanked the committee for their discussion and deliberation. She was involved in the development of the city’s downtown code which is also form-based. She stated that she is concerned with the vague definitions contained in the TA, its process which lacked public engagement. The process to establish the WU Code and the DTC was extensive and accompanied by area plans but this expansion does not provide sufficient guidance to the community, to staff, and to recommending bodies on how this will be used or why and where it could be appropriate.

STAFF RESPONSE

Klimek thanked the committee for their questions and comments and thanked the attending public for the same. The TA does not dilute the incentives contained in the ReinventPHX Plans because those plans contain recommended transects which provide guidance to potential applicants on what district will be supported by staff. The TA will not provide parking reductions in areas without light rail because WU Code parking reductions are only permitted within walking distance of light rail. The TA will not modify any process, direct applicants to the WU Code, or incentivize its use. The TA will only provide another tool for applicants, staff, the public, and the recommending bodies to consider. He concluded by sharing a map of the various regulatory plans, overlays, and policy areas within the Alhambra Village and indicated that several of the other VPCs have voted to place geographic restrictions into their recommendations.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE
MOTION: Jones made a motion to deny the request. Second by **LeBlanc.**

DISCUSSION:
Jones explained that there has been no public process and that it's bad that staff is advocating so hard and even suggesting that it may be appropriate to place arbitrary geographic restrictions. He said that he would be supportive of WU Code in light rail corridors, but this isn't the right process for it and that geographic restrictions would be arbitrary and inappropriate through this process.

Ender stated that crime needs to be addressed first.

Harris stated that the committee should be allowed time to consider potential geographic restrictions. She stated that she will voting to deny because she feels obligated to the public.

Keyser stated that the critique of there being no public input is hyperbole. This is the public process, and the code is not being imposed on anyone and it will only be put in place if requested by an applicant and if supported by staff, the neighborhood, and the recommending bodies. He reiterated an earlier comment that requests will continue to success or fail on their own merits and that this doesn't change any processes or create policy to support density where it doesn't belong.

Solorio stated that this came from the Housing Phoenix Plan and that he is disappointed the Housing Department was not present to share their perspective on how this will help create much needed housing.

Jones agreed that the Housing Department should have been in attendance to share their idea. The 150 VPC members citywide cannot possibly represent the millions of residents in the city and that's why an additional process is needed. The responsibility of this VPC is to ensure the proposals have enough detail to

be in the best interest of the community and that the public has been informed, and this proposal does neither.

VOTE: 13-3-0, motion passes with: Adams**,** Ammon**,** Bryck**,** DeGraffenreid**,** Ender**,** Fitzgerald**,** Harris**,** Jones**,** Krietor**,** LeBlanc**,** Malkoon**,** McCabe, and Smith in support; Keyser, Solorio, and Chair Shore in dissent; and none in abstention.

Camelback East
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-19

Date of VPC Meeting	October 5, 2021
Request From	Presentation and discussion on a request to amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts.
VPC Recommendation	Denial
VPC Vote	10-2

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Sofia Mastikhina, staff, explained that the intent of Z-TA-3-19 is to allow the Walkable Urban (WU) Code to be applied to properties citywide. She stated that this will allow property owners along future light rail extensions, within Transit Oriented Development (TOD) policy plan areas, and other appropriate areas of the City to request rezoning to rezone to WU Code. She explained that the text amendment will remove geographic restrictions on WU Code, allow property owners to apply to rezoned to WU Code, and update standards regarding single family attached residential development outside TOD districts. She clarified that the text amendment will not automatically rezone any property or modify the rezoning process. She then discussed the revisions in Addendum A, which include the applicability of regulatory overlay districts and plans and Administrative Temporary Use Permit fees. She also clarified that WU Code would not eliminate Overlay Zoning Districts, Redevelopment Areas, Special Planning Districts, or Specific Plans. She reviewed the existing zoning tools used to address density and scale, such as density waivers, height waivers, Mid-Rise District, High Rise District, and Residential Infill District. She stated that if the text amendment were approved, applicants requesting WU Code would still be required to go through the standard rezoning process. She stated that the rezoning evaluation included the pre-application meeting, post-application meeting, and public hearings. She added that the public hearings would allow for public input.

PUBLIC COMMENT

Larry Whitesell expressed his opposition to the request, stating that it is a one-size-fits-all approach, and that it will be abused by developers much like the PUD mechanism.

He stated that he I only supportive of WU Code being expanded along light rail lines as they get built out.

Neal Haddad stated that this is an aspirational issue based on certain Councilmembers' wishes and that WU Code does not create walkable communities.

Bradley Paulin stated that the WU Code was specifically designed for properties along the light rail and its standards encourage reduced setbacks, increase of dwelling units, and reduction of parking. He stated that this is not appropriate for all areas of the city and that it was not ever created for this purpose. He stated that this request is an attack on established single-family residential neighborhoods.

Mastikhina thanked the community members for their participation and comments. She explained that the WU Code has several different transect districts that address different levels of urban intensity, from a suburban-level development to a business core high-rise type of development. As such, the WU Code is designed to accommodate all types of urban environments, not just high intensity ones, and can also be successfully implemented near single-family neighborhoods with minimal impact. She further explained that any request to rezone to WU Code would still have to go through the rezoning staff review and public hearing process, where the appropriateness of each request would be thoroughly evaluated. This request would not automatically rezone any properties to WU Code. She also explained that there are several properties, even in low-density parts of the city such as Laveen, that are already utilizing tools such as Height and Density Waivers to achieve the same intensity of certain WU Code transects but are not held to the same enhanced site and architectural design standards as properties zoned WU Code.

MOTION

Craig Tribken made a motion to approve the request per the staff recommendation. The motion failed to receive a second.

Linda Bair made a motion to deny the request as filed. **Vice Chair William Fischbach** seconded the motion.

DISCUSSION

Barry Paceley stated that he wishes they had received more information on this request.

Chair Jay Swart commended the community members that spoke on this item for their thoroughness, and stated that although staff gave a great presentation, the request is simply too vague and ambiguous. He stated that this makes it difficult to support it.

VOTE

10-2: Motion passes with committee members Swart, Fischbach, Abbott, Bair, Bayless, Thraen, Garcia, Miller, Paceley, and Sharaby in favor, and committee members Eichelkraut and Tribken dissenting.

Central City
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-19

Date of VPC Meeting	October 11, 2021
Request From	Amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts and administrative temporary use permits.
VPC Recommendation	Approval per Addendum A
VPC Vote	10-3

VPC DISCUSSION:

One request to speak in opposition was made for this request.

Sarah Stockham, staff, provided a summary of the request involving the expansion of the Walkable Urban (WU) code applicability area, noting the existing boundaries where WU code is available today, and the need for this text amendment given the expansion of mass-transit to other parts of the city. **Ms. Stockham** added that this proposal would allow property owners to rezone to WU Code citywide and update standards regarding single-family attached standards outside of TOD areas, this proposal does not rezone any property, does not modify the current rezoning process, does not modify the applicability or standards of adopted City policy plans including TOD District plans. **Ms. Stockham** explained that Addendum A of the staff report revises applicability of regulatory overlay districts and plans, plus adds Administrative Temporary Use Permit fees. An overview of existing zoning tools, rezoning evaluation process and impacts was provided, and staff concluded with their recommendation of approval per Addendum A of the staff report and discussed the hearing schedule for this case.

Questions from the Committee:

Eva Olivas asked how outreach was performed for this request. **Ms. Stockham** replied that the request was heard at each Village Planning Committee for information only, and there could have been discussions with management with individuals, but she does not have the exact day and time of those meetings as she is not the staff who is processing this request.

Ryan Boyd commented that this request was also a part of the Housing Phoenix Plan and outreach could have been conducted during those meetings as well. **Ms. Stockham** confirmed that expanding the Walkable Urban Code was one of the land use strategies of the Housing Phoenix Plan and that

Public Comment:
Bramley Paulin, member of the public, introduced himself and stated that the WU Code was specifically designed for properties along the light rail and its standards encourage reduced setbacks, increase of dwelling units, and reduction of parking. He stated that this is not appropriate for all areas of the city and that it was not ever created for this purpose. He stated that this request is an attack on established single-family residential neighborhoods and encouraged the committee to deny this request.

Darlene Martinez asked if anyone else has made the same comment on this request. **Ms. Stockham** replied that Mr. Paulin has made the same comment at other Village Planning Committee meetings.

Staff Response:
Ms. Stockham reiterated staff's recommendation, that this request is to expand the option to rezone to the Walkable Urban Code citywide, it does not rezone properties outright and that the process for evaluating and analyzing the appropriateness of rezoning requests is comprehensive.

Motion:
Chris Colyer motion to recommend approval of Z-TA-3-19 per Addendum A. **Ryan Boyd** seconded the motion.

Discussion:
Ryan Boyd explained that he understands why other Villages might have concerns but this request makes the WU Code an option and not everything in the WU Code is a skyscraper. **Mr. Boyd** added that the sites have been using the WU Code standards in PUDs, and if a WU Code request is inappropriate the Village Planning Committee can reject it and has control over where it is implemented. **Mr. Boyd** concluded that in terms of public outreach, this has case has already gone to the other villages for input, has taken too long to go for recommendation and reiterated that request just makes the WU Code an option.

Darlene Martinez echoed Mr. Boyd's comments.

Eva Olivas agreed with Mr. Boyd's comments that swayed her to support the request and shared that this is part of the Housing Phoenix Plan and will create the opportunity to increase housing density in areas that are not TOD areas.

Chair Rachel Frazier Johnson shared concern with this request and the lack of information on public outreach.

Vote:
10-3, motion to approve Z-TA-3-19 per Addendum A passes with Committee Members Boyd, Burns, Colyer, Gaona, Gonzalez, Martinez, Olivas, Panetta, Starks, and Sonoskey in favor with Committee Members Dubasik, Lockhart and R. Johnson opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:
None.

Deer Valley
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-19

Date of VPC Meeting	October 14, 2021
Request	Presentation, discussion, and possible recommendation regarding a request to amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts and administrative temporary use permits.
VPC Recommendation	Denial
VPC Vote	4-3-1

VPC DISCUSSION:

2 people registered to in opposition, wishing to speak

Mr. David Simmons, staff, introduced himself and gave an overview of the request to include the objective of expanding the WU Code citywide, covered the updated references to relevant policy plans that WU Code is intended to implement, the modification of lot standards to address development proposals in non-TOD districts, explained minor clarifications regarding existing terminology relevant to the expansion and went over the need to adopt related WU Code and ATUP fees as a result of this update. Mr. Simmons also showed several examples of the various transect districts outlined in the request and how staff would analyze requests as they are submitted, similar to any other rezoning request.

VPC Discussion:

None

Public Comment:

Mr. Bramley Paulin stated that Mr. Simmons did an impeccable job presenting the request. He shared that he has concerns with the lack of public input on the request to date. He shared concerns with density allowances as well as reductions in required parking outlined in the various transect districts. He stated

that there are too many unknown details in the request. He does not support a recommendation for approval.

Mr. Ozzie Virgil asked Mr. Paulin if this request was initiated by staff or private.

Mr. Bramley shared that this request is applicant driven.

Mr. Larry Whitesell, Vice Chair of the Peak Neighborhood Association, shared that he has one major concern. This request puts the cart before the horse. He suggested that this request needs more citizen driven working groups on this request to include transect maps. He shared that he believes this request should not be city wide and should be phased in in TOPS districts as light rail is expanded.

Mr. Ozzie Virgil shared that he also sits on the Rio Vista Village Planning Committee and this item was voted down by that Village. He stated that the request should be voted down by the Deer Valley Village Planning Committee too. He does not believe the request should expand the WU Code city wide.

Chairman Joseph Grossman stated that he does not know enough about the request to make an informed decision at this point in time.

MOTION:

Mr. Ozzie Virgil made a motion to recommend denial of Text Amendment Case No. Z-TA-3-19.

Mr. Keith Greenberg seconded the motion.

MOTION:

Mr. Mark Davenport made a motion to recommend approval of Text Amendment Case No. Z-TA-3-19, per the staff recommendation.

Mr. Matthew Kenney seconded the motion.

Mr. Virgil's motion was on the floor first. Chairman Grossman called for a vote for the first motion, to recommend denial of the request.

VOTE:

4-3-1 with committee members Greenberg, Levy, Romero and Virgil in favor. Committee members Davenport, Kenney and Shipman not in favor. Chairman Grossman abstained.

Mr. Davenport removed his motion to recommend approval from consideration.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:
None.

Village Planning Committee Meeting Summary
Z-TA-3-19

Date of VPC Meeting	October 5, 2021
Request	Presentation, discussion, and possible recommendation regarding a request to amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts and administrative temporary use permits.
VPC Recommendation	Denial
VPC Vote	6-1

VPC DISCUSSION:

Julianna Pierre stated that the intent of Z-TA-3-19 is to allow the Walkable Urban (WU) Code to be applied to properties citywide. She stated that this will allow property owners along future light rail extensions, within Transit Oriented Development (TOD) policy plan areas, and other appropriate areas of the City to request rezoning to rezone to WU Code.

Julianna Pierre explained that the text amendment will remove geographic restrictions on WU Code, allow property owners to apply to rezoned to WU Code, and update standards regarding single family attached residential development outside TOD districts. She clarified that the text amendment will not automatically rezone any property or modify the rezoning process.

Julianna Pierre discussed the revisions in Addendum A, which include the applicability of regulatory overlay districts and plans and Administrative Temporary Use Permit fees. She clarified that WU Code would not eliminate Overlay Zoning Districts, Redevelopment Areas, Special Planning Districts, or Specific Plans.

Julianna Pierre reviewed the existing zoning tools used to address density and scale, such as density waivers, height waivers, Mid-Rise District, High Rise District, and Residential Infill District. She stated that if the text amendment were approved, applicants requesting WU Code would still be required to go through the standard rezoning process. She stated that the rezoning evaluation included the pre-application meeting, post-application meeting, and public hearings. She

added that the public hearings would allow for public input. She also provided examples of low-density products that were developed under WU Code zoning

Committee member Rick Nowell asked if WU Code would make it easier to rezone a specific site. **Julianna Pierre** stated that if an applicant was rezoning to WU Code, they would still have to go through the standard rezoning process. She stated that it may be easier for certain products to be built using WU Code because the applicant may not have to, in some cases, go through the longer Planned Unit Development (PUD) process for the same results.

Bramley Paulin, a member of the public, stated that he was concerned with the idea of allowing WU Code City wide. He added that this is an opportunity for the City to bring in density which will result in additional traffic, congestion, and people.

Vice Chair Louis Lagrave stated that he was supportive of WU Code near transit oriented development, but felt that it was not applicable citywide.

Committee member Michelle Santoro asked if rezoning to WU Code could replace the PUD process. **Julianna Pierre** explained that as of right now, there are some applicants that use the PUD process to generate the same results as WU Code because WU Code is not available citywide. She stated that if the text amendment is approved, applicants could, in some cases, rezone to WU Code instead of going through the longer PUD process. **Committee member Michelle Santoro** stated that she understood the intent of the text amendment, but felt that WU Code may not be needed in the Desert View Village.

Committee member Michelle Santoro asked if the text amendment had been presented to other Village Planning Committees (VPC). **Julianna Pierre** stated that the text amendment had been presented to the Encanto and Paradise Valley VPCs.

Committee member Rick Nowell stated that he had concerns about increased density as a result of WU Code being permitted citywide.

MOTION: Vice Chair Louis Lagrave made a motion to deny Z-TA-3-19. The motion was seconded by **Committee member Rick Nowell**.

VOTE: 6-1 with Committee Members Lagrave, Kollar, Nowell, Santoro, and Younger in favor and Chair Bowser in opposition.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:
None.

Encanto
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-19

Date of VPC Meeting	October 4, 2021
Request	Presentation, discussion, and possible recommendation on a request to amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts.
VPC Recommendation	Denial
VPC Vote	8-0-0

VPC DISCUSSION:

Three speaker cards were received with all three in opposition and wishing to speak.

At this time, Benjamin, Cothron, and Searles departed the meeting reducing the quorum to eight members (eight being required for a quorum).

STAFF PRESENTATION
Klimek, staff, provided an overview of the proposed text amendment which was presented to all village planning committees in July and to the Encanto VPC at the July 12th meeting. The input received from the informational sessions was studied and the staff recommendation was revised in Addendum A which is now before the committee for a possible recommendation.

The WU Code was originally written to apply only within approximately one-half mile from light rail lines but, since that time it's became clear that the WU Code's form-based approach would be appropriate areas outside of light rail corridors, such as village cores and other high-capacity transit lines. The request removes geographic constraints and would allow owners to request rezoning to the WU Code city-wide. The request does not rezone any property, modify any process, or modify any existing policy plan or standard. The language proposed in Addendum A cleans up the original proposal to clarify how the WU Code will interact with other sections of the code.

The WU Code contains a continuum of urban forms intended to be deployed in different contexts, from suburban to downtown scales, all with an emphasis on trees, shade, and human scale. Some have expressed the concern that the WU Code expansion would proliferate high-density development throughout the city but explained that this is a misconception because there are existing zoning tools that allow high density

development in areas where the WU Code is not currently an option, including Planned Unit Developments. While certain WU Code Transects allow for high density, these transects prescribe pedestrian-oriented requirements that are not required in alternative high-density options. The rezoning process includes substantial oversight including two meetings with staff, one neighborhood meeting, and three public hearings – all focused on determining the appropriateness of a request.

He then provided an overview of the contents of Addendum A and concluded by stating that staff is recommending approval with the item scheduled to appear before the Planning Commission in November.

QUESTIONS FROM COMMITTEE
Benjamin asked if the text amendment addresses charter schools. Klimek responded that when the text amendment was initiated, it was intended to cover more topics but has been pulled back to focus on the WU Code.

Wagner stated that 1301.B in the text amendment removes “Central Valley East Valley Light Rail Corridor” from the purpose and intent statement and substitutes “Transit Corridors”, but that language is not defined. **Klimek** responded that the proposed language is intended to be more broadly to recognize that the code may be appropriate outside of light rail corridors. **Wagner** stated that she would be more comfortable if transit corridor were defined because without parameters this language could be used to justify increased intensity virtually anywhere. The WU Code was specifically written to decrease dependency on automobiles and by putting density in far flung parts of the city without transit will increase automobile use. The WU Code has not reached its potential in the light rail corridors where vacant lots continue to exist, and it would be a disservice to siphon off new development in those corridors before the massive investment in light rail has fully come to fruition. The WU Code was written with input from the residents of Phoenix and this process has not adequately engaged the community. **Klimek** added that the totality of language in 1303.B emphasizes the use of the WU Code to advance development in “Transit Corridors” and other contexts such as policy plans.

Vice Chair Bryck stated that he has gone back and forth on the topic including to allow more tools to support housing development but continued returning to the extensive public engagement efforts behind the ReinventPHX Plans to map specific recommended transects parcel by parcel. He expressed concern that there is no policy guidance for what level of intensity is appropriate outside of the light rail corridors and, outside of those corridors, it will be up to staff to decide and that’s too much responsibility. He added that the WU Code was intended to be a carrot to fill in these vacant lots and that the cases heard tonight have been great examples of what WU Code was intended to do; he asked, would these projects have happened if WU Code was allowed everywhere. He added that Phoenix has a habit of moving on to focus on different areas before they are finished with the last, for example, from downtown to midtown to 24th Street and Camelback. He stated that there are too many unknowns and asked what are the transects going to be in Ahwatukee or Rio Vista.

Rodriguez echoed the concerns of Vice Chair Bryck and Member Wagner and stated that she wishes it had come out a month earlier. She expressed concerns regarding car-centric development. She asked if there is the potential for the process to end up in a Zoning Hearing Officer's hands or if there are loopholes to circumvent the VPC. **Klimek** responded that all rezoning requests need to be presented to the VPC, Planning Commission, and City Council. He added that some properties with existing zoning entitlements, such as WU Code, may seek relief through a Variance, Use Permit, or the Design Review Committee (DRC) but that these cannot be used to circumvent the zoning process. Rodriguez asked who is on the design review committee. **Klimek** responded that the DRC is comprised of land use processionals, has a staff liaison from the Planning and Development Department, and they are a public board. **Rodriguez** asked how this text amendment will modify the approach to single-family attached and detached dwellings. **Klimek** responded that the text amendment cleans-up the single-family attached section of the code by more neatly sorting out what regulations from three different sections of the ordinance apply when.

Rodriguez asked why it is appropriate to expand the WU Code rather than incorporating minimum standards such as 75% shade or other aspects off the WU Code in other zoning districts. **Klimek** responded that, unlike other existing districts, the WU Code is mostly self-contained and already includes an effective form-based approach that the 30+ other zoning districts would struggle to emulate even with substantial amendments. He added that

Mahrle echoed Vice Chair Bryck's concerns that there are too many unknowns. He illustrated this point with the example of a hypothetical development at 44th Street and Camelback. Why would an owner want to consider the WU Code? How would the City benefit from the WU Code at that location, is it something the City would impose on a developer, and what transect would be appropriate and who decides. He concluded by stating that the city needs to consider potential unintended consequences. He asked Vice Chair Bryck if he's encapsulated his concerns. **Vice Chair Bryck** confirmed that unintended consequences sum it up and added that the unknowns put a responsibility on both the developer and on staff to negotiate a transect. **Mahrle** added that it is important to look at it from the developer's perspective and why they would even want to use the WU Code. He concluded by stating there are too many unknowns for him to comfortably support it. **Klimek** thanked both for their comments that that some scenarios would be helpful to show how some real-world scenarios would play out but that selecting representative examples is difficult in a city as large as Phoenix.

Vice Chair Bryck stated that the Planned Unit Development (PUD) is an established process to allow developers an alternative to traditional zoning. He asked why the expansion of the WU Code is a better alternative to PUDs. **Klimek** responded that the expanded WU Code would put all projects on even footing because they would be required to comply to the same basic standards which is both easier to administer and more transparent for residents. In a PUD, a developer can start from scratch and to cherry pick their development standards which then need to be thoroughly evaluated by staff for, not only content but also comparability to the base zoning district.

Vice Chair Bryck noted that the expansion of the WU Code is identified in the Housing Phoenix Plan but that he didn't know if the plan or that recommendation it was built from public input. He asked when other recommendations from that plan such as ADUs and revisions to the infill policies will begin to happen. **Klimek** responded that he believes the department is working on ADUs but stated that he doesn't know when that language would be ready for the VPCs.

George shared that the origin of the WU Code was to promote walkability by doing away with setbacks and parking, thus allowing more height and intensity in the central city. All, as a bonus to property owners close to transit including those with vacant land. It was intended to create a walkable urban environment where transit is available, and it is all tied to transit which is not existent in parts of our sprawling city. If the WU Code is applied citywide, the incentive in the central city is removed to build these developments where they belong, near light rail or BRT. The WU Code was never meant to be exported to Laveen where residents value their semi-rural lifestyle without any identifiable transit. They cannot replicate the central city in areas where it was never meant to be. She concluded by stating that she will be voting no.

PUBLIC COMMENTS

Andi Abkarian introduced herself as a downtown resident and a vice chair of Downtown Voices Coalition (DVC). DVC was developed in response to a need for more neighborhood focused planning. DVC does support increased density and is looking forward to the stakeholder input process prior to the Planning Commission Meeting. One critical element is the local context and the language, as written, relies heavily on policy interpretation. A benefit of the neighborhood specific TOD Plans such as East Lake Garfield is that they were generated in conjunction with the WU Code standards for those areas and the two infill projects presented tonight show the importance of neighborhood focused planning and development. She stated that this text amendment appears to be ahead of itself in terms of local planning and policy for development in those areas. From a personal perspective, she expressed her agreement with Wagner and Bryck in that villages in the central city need to support the policies and programs that incentivize density in that core and along light rail. Citing that the Rosewood Homes applicant indicated they were the first project to do single-family detached under the WU Code, she indicated that this code should be given room to breathe and evolve before it is ready to be tested citywide. She concluded by thanking the VPC for their service and to planning in Phoenix.

Robert Warnicke introduced himself and expressed his opposition to the text amendment. He read the purpose and intent of Section 13 for the committee which emphasized the central role of light rail of the WU Code. The WU Code is about intensity, density, and height in proximity to light rail and offers these bonuses to support the city's investment in light rail and the light rail isn't citywide so the WU Code shouldn't be. He added that it is easy to plan WU Code where light rail is going because it doesn't happen overnight. He concluded that the expansion is contrary to the original

purpose of the WU Code and that it will spread density and more intensity with less open space and fewer setbacks.

Donna Reiner expressed her agreement with Wagner and Bryck. From the pedestrian's perspective, the WU Code has failed miserably because it hasn't produced the shade promised and hasn't made the streets for people on foot. She asked the committee to vote against the text amendment until the misconception of how to use the WU Code and its other failings are resolved. She asked why it makes sense to give a bad code to the rest of the city. Development should not be for the sole benefit of the developer who will build it and then leave, development should also benefit the entire populace.

STAFF RESPONSE

Klimek responded that the intent of the WU Code was clearly to implement TOD along the light rail corridor but that, since that time, it has become clear that other areas exist where it would also be the best tool for the job. The Secondary Core in the North Mountain Village is Sunnyslope, and this area would have benefitted greatly from the WU Code. The WU Code would have provided flexibility in exchange for an assurance of a pedestrian oriented environment with shade and eyes-on-the-street. Unlike other areas of the city, this district includes many small property owners united under a vision for walkable urban development but there is no zoning tool better suited for their vision than the WU Code, but it is unavailable. There are doubtless more places in the city that would benefit from the expanded eligibility of the WU Code. The text amendment does not rezone any property, does not gift density to any landowner, and is a prerequisite step to developing a holistic policy on how the WU Code may be appropriate in different contexts.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE.

MOTION

Wagner motioned to deny the request. **George** seconded.

DISCUSSION

Rodriguez stated that she appreciates the public comments who offered their insight on the matter and that she supports the TOD Districts as they stand. She then thanked staff for his work.

Vice Chair Bryck thanked staff for the presentation and the candor and that is a tough job to have to sell something that wasn't fully baked. He indicated that he would be open to hearing another proposal if staff works to answer some of the open questions and concerns and to better flush out the idea.

Chair Kleinman thanked members of the committee for their input and for hanging on for the entire meeting. He added that of the 15 Villages, Encanto is likely most familiar and most dedicated to seeing it used in its best interest. He then thanked staff for explaining the proposed change and for answering difficult questions.

VOTE

8-0-0; motion passed with George, Mahrle, Matthews, Procaccini, Rodriguez, Wagner, Vice Chair Bryck, and Chair Kleinman in support; none in dissent; and none in abstention.

Estrella
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-19

Date of VPC Meeting	October 19, 2021
Request	Presentation and discussion on a request to amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts.
Recommendation	Denial
Vote	**7-0** Motion passes; with members Barquin, Cartwright, Danzeisen, Perez, Rush and Sanou and Cardenas in favor; None in dissent.

VPC DISCUSSION & RECOMMENDATION:

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

Enrique Bojórquez, staff, introduced himself and provided a presentation on this citywide text amendment case Z-TA-3-19. He provided a summary of the request involving the expansion of the Walkable Urban (WU) Code applicability area, noting the existing boundaries where WU Code is available today. He discussed the need for this text amendment given the expansion of mass-transit to other parts of the city. He discussed elements of the WU Code which prioritize the pedestrian environment and explained the transect district acronym plus unique development standards. Examples of what each transect district could look like were provided. This proposal would allow property owners to rezone to WU Code citywide and update standards regarding single-family attached standards outside of TOD areas. This proposal does not rezone any property, does not modify the current rezoning process, does not modify the applicability or standards of adopted City policy plans including TOD District plans. Addendum A of the staff report revises applicability of regulatory overlay districts and plans, plus adds Administrative Temporary Use Permit fees. An overview of existing zoning tools, rezoning evaluation process and impacts was provided. Staff recommends approval per Addendum A of the staff report and discussed the schedule for this case.

Committee member Ademolu left the meeting at 7:15pm, bringing the quorum to 7 members.

Chairman Cardenas asked for committee member questions. He then asked for public comments on this case.

Bramley Paulin, member of the public, stated that this text amendment is better suited for TOD areas. He discussed shading elements and parking reductions that would be applicably citywide if this case is approved. Other Village Planning Committees have heard this case and denied the request. Homeowners are left wondering where development will happen and will have to battle each project with an applicant's attorney regarding the density. No opportunities for citizen input were available and there is a lack of public participation. He asked the committee to deny the request.

Ryan Boyd, member of the public, supports this text amendment which will allow WU Code as an option citywide. Public input will be provided throughout the process and the VPC's will have the ability to hear each WU Code case within their villages. This allows for a wide range of housing options and a mix of uses throughout the city.
Neal Haddad, member of the public, stated that this text amendment case is putting the cart before the horse, as the concept does not work without having a transect map. A vision document that incorporates citizen input is needed for this vision. This case has a generational impact, and VPC members should not be forced into deciding. Other VPC's have denied this request and requests that this committee also vote to deny this case.

Mr. Bojórquez summarized the text amendment request. He added that staff would recommend approval per Addendum A of the staff report, but if the committee has concerns with allowing WU Code citywide, the committee could consider limiting the boundaries to Village Cores and along mass-transit corridors. He showed a map of TOD communities in Phoenix and Village Cores citywide.

Lisa Perez appreciates the information, but other alternatives for this text amendment need to be provided ahead of the meeting for further analysis.

Dan Rush added that he would be open to reconsidering the request if new information is provided all VPC's ahead of the meeting.

MOTION:

Ms. Perez motioned to deny case Z-TA-3-19. **Mr. Rush** seconded the motion to deny.

VOTE:
7-0, motion passed; Members Barquin, Cartwright, Danzeisen, Perez, Rush, Sanou and Cardenas in favor; None in dissent.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Laveen
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-19

Date of VPC Meeting	October 11, 2021
Request	Presentation and discussion on a request to amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts.
Recommendation	Approval with a modification to only allow expansion to high-capacity transit corridors and Village Cores.
Vote	8-0

VPC DISCUSSION:

Sofia Mastikhina, staff, explained that the intent of Z-TA-3-19 is to allow the Walkable Urban (WU) Code to be applied to properties citywide. She stated that this will allow property owners along future light rail extensions, within Transit Oriented Development (TOD) policy plan areas, and other appropriate areas of the City to request rezoning to rezone to WU Code. She explained that the text amendment will remove geographic restrictions on WU Code, allow property owners to apply to rezoned to WU Code, and update standards regarding single family attached residential development outside TOD districts. She clarified that the text amendment will not automatically rezone any property or modify the rezoning process. She then discussed the revisions in Addendum A, which include the applicability of regulatory overlay districts and plans and Administrative Temporary Use Permit fees. She also clarified that WU Code would not eliminate Overlay Zoning Districts, Redevelopment Areas, Special Planning Districts, or Specific Plans. She reviewed the existing zoning tools used to address density and scale, such as density waivers, height waivers, Mid-Rise District, High Rise District, and Residential Infill District. She stated that if the text amendment were approved, applicants requesting WU Code would still be required to go through the standard rezoning process. She stated that the rezoning evaluation included the pre-application meeting, post-application meeting, and public hearings. She added that the public hearings would allow for public input.

Francisco Barraza asked if this proposal will change how developments are constructed along transit and light rail lines. **Mastikhina** explained that the WU Code is already applicable along the existing light rail corridors where Transit Oriented Development (TOD) Policy Plans exist. Properties in these areas are already eligible to request to be rezoned to WU Code.

Stephanie Hurd expressed concern with the application of the WU Code outside of transit areas and asked if the committee would still have the same opportunity to request specific improvements via stipulations as with any other rezoning case. **Mastikhina** explained that any request for WU Code zoning will require a full rezoning process, including all associated public hearings where committee members can request to add stipulations to the entitlement case.

Chair Tonya Glass asked if the WU Code acts as a density bonus. **Mastikhina** explained that the WU Code does not have density caps and is focused more on how sites and buildings are designed and how they interact the pedestrian environment, rather than the uses inside the buildings. She noted that development standards such as lot coverage, setbacks and height maximums automatically limit how many dwelling units can fit in a development. **Chair Glass** expressed concern with essentially giving developers a density bonus, with the enforceability of WU Code, and how WU Code would impact Laveen, which is very far away from the light rail. She also stated that WU Code may have come too late for Laveen, since there are already so many properties zoned for multifamily residential and there aren't many opportunities left to implement this code. She further expressed concern with the lack of vetting of this proposal and how it will impact communities such as Laveen and Anthem, which do not have major transit corridors like more central parts of the city.

Hurd pondered if this is something that can be applied to certain areas of Laveen, and if it would bring any benefits. **Mastikhina** explained that the WU Code contains several transect districts with a range of urban intensities, and that most are of a mixed-use nature. She pointed out that the committee has raised concerns over the past few months with other cases at the lack of mixed-use developments that bring economic prosperity and retail options to Laveen. The WU Code is mixed-use by nature, and many of the transect district allow for a wide range of land uses, meaning that properties zoned WU Code would have the flexibility to expand uses as the market allows, which could be beneficial to the community.

PUBLIC COMMENT

Bramley Paulin stated that the WU Code was specifically designed for properties along the light rail and its standards encourage reduced setbacks, increase of dwelling units, and reduction of parking. He stated that this is not appropriate for all areas of the city and that it was not ever created for this purpose. He stated that this request is an attack on established single-family residential neighborhoods.

Dan Penton asked if the village can stipulate on WU Code cases, if the WU Code allows for smaller lot sizes in single-family subdivisions, how it specifically promotes walkability, and how it could help Laveen preserve its rural character and sense of place. **Mastikhina** explained that the WU Code does not set forth minimum lot widths, but that the committee could stipulate to a minimum width much like any other single-family rezoning case. She also stated that the WU Code addresses walkability by setting forth required standards for things like enhanced shading for pedestrian pathways and public open spaces, building frontages that activate the pedestrian realm such as patios, stoops, and storefronts, wider sidewalks that are detached from vehicular drives, and a mix of uses on every site. **Penton** asked how this can be implemented in Laveen to create enhanced built environments such as the Kierland Commons in northeast Phoenix. **Mastikhina** replied that the Kierland Commons was

achieved via a PUD that mostly followed WU Code standards, and that the entire purpose of the WU Code is to achieve pedestrian-friendly, mixed-use developments. **Penton** asked if a development in a Village Core that is zoned WU Code can limit the number of vehicles and parking on the site to help create a more pedestrian-friendly environment. **Mastikhina** replied that parking reductions are possible in the WU Code, and that the extent to which they are granted depend on proximity to light rail stations. She explained that each request for rezoning and parking reductions would be evaluated on a case-by-case basis, stating that a development located in the outer reaches of the city limits where transit options don't exist would not be a good candidate for parking reductions. Properties in urban cores and centers, however, can receive parking reductions of almost 100 percent, depending on how many transit options are available in close proximity.

Chair Glass stated that she understands the benefits of this code, but that most of the areas that would benefit most from it are already eligible, as they are along the light rail.

Hurd agreed that Laveen can benefit from the walkability and shading and stated that the committee can stipulate to ensure developments are still compatible with the area. However, she wants to hear what other committee members have to say.

Vice Chair Linda Abegg expressed her concern with what the community is giving up to allow for all the extra density, noting that developers will not subject themselves to all of these enhanced standards if they're not getting significant flexibility out of it. She stated that she prefers the PUD tool to achieve the same standards but still be able to limit the density of a project.

Carlos Ortega asked for clarification on the applicability of this amendment, and if will only apply to where transit currently exists or will exist in the future. **Vice Chair Abegg** explained that the text amendment would allow the WU Code to be applied anywhere in the city, not just along transit lines.

MOTION

Chair Glass made a motion to approve the text amendment with a modification to only allow it along high-capacity transit corridors. **Vice Chair Abegg** asked to amend the motion to also include Village Cores. **Chair Glass** accepted the amendment. **Barraza** seconded the motion.

VOTE

8-0: Motion passes with committee members Glass, Abegg, Barraza, Buggs, Hurd, Knight, Ortega, and Rouse in favor.

Maryvale
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-19

Date of VPC Meeting	October 13, 2021
Request	Amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts and administrative temporary use permits.
VPC Recommendation	Approval per Addendum A
VPC Vote	6-2

VPC DISCUSSION:

One request to speak in opposition was made for this request. Committee members Demarest and Hernandez left during this item, bringing quorum to 8.

Sarah Stockham, staff, provided a summary of the request involving the expansion of the Walkable Urban (WU) code applicability area, noting the existing boundaries where WU code is available today, and the need for this text amendment given the expansion of mass-transit to other parts of the city. Ms. Stockham added that this proposal would allow property owners to rezone to WU Code citywide and update standards regarding single-family attached standards outside of TOD areas, this proposal does not rezone any property, does not modify the current rezoning process, does not modify the applicability or standards of adopted City policy plans including TOD District plans. Ms. Stockham explained that Addendum A of the staff report revises applicability of regulatory overlay districts and plans, plus adds Administrative Temporary Use Permit fees. An overview of existing zoning tools, rezoning evaluation process and impacts was provided, and staff concluded with their recommendation of approval per Addendum A of the staff report and discussed the hearing schedule for this case.

Questions from the Committee:

Saundra Cole asked for a brief overview of the WU Code and if it would allow commercial uses. **Ms. Stockham** briefly explained that the Walkable Urban Code is a formed based code within the Zoning Ordinance, and that zoning districts are named transects which relates to the amount of uses and intensity they allow, and that there are more design requirements and more requirements for shade, sidewalks, and bicycle parking than what is found in conventional zoning districts. Ms. Stockham confirmed that most transects allow both commercial and residential uses.

Sandra Oviedo asked what benefits this brings to Maryvale. **Ms. Stockham** highlighted the increased shade, bicycle parking and pedestrian amenities that are required with

WU Code projects, adding that it is a form-based code so there are frontage and glazing requirements to activate the street frontage, and added that Maryvale is going to receive significant transit infrastructure investment with the light rail extension and the bus rapid transit line, and that the Maryvale Village Core Plan is a transit-oriented development policy plan that recommends many of the requirements in the WU Code.

Chair Gene Derie asked for clarification on the current geographic restrictions of the WU Code. **Ms. Stockham** replied that applicants can choose to rezone to the WU Code if they are within the five TOD policy plan areas along the existing light rail line but applicants along planned light rail lines, like the 10West extension in Maryvale, do not have that option.

Public Comment:
Bramley Paulin, member of the public, introduced himself and stated that the WU Code was specifically designed for properties along the light rail and its standards encourage reduced setbacks, increase of dwelling units, and reduction of parking. He stated that this is not appropriate for all areas of the city and that it was not ever created for this purpose. He stated that this request is an attack on established single-family residential neighborhoods and encouraged the committee to deny this request.

Staff Response:
Ms. Stockham reiterated staff's recommendation, that this request is to expand the option to rezone to the Walkable Urban Code citywide, it does not rezone properties outright and that the process for evaluating and analyzing the appropriateness of rezoning requests is comprehensive.

Motion:
Ken DuBose motioned to recommend approval of Z-TA-3-19 per Addendum A. **Mike Weber** seconded the motion.

Vote:
6-2, motion to approve Z-TA-3-19 per Addendum A passes with Committee Members Battle, Cole, DuBose, Oviedo, Valenzuela and Weber in favor and committee members Garcia and Derie opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:
None.

North Gateway
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-19

Date of VPC Meeting	October 14, 2021
Request	Presentation, discussion, and possible recommendation regarding a request to amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts and administrative temporary use permits
VPC Recommendation	Denial
VPC Vote	4-0

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Julianna Pierre stated that the intent of Z-TA-3-19 is to allow the Walkable Urban (WU) Code to be applied to properties citywide. She stated that this will allow property owners along future light rail extensions, within Transit Oriented Development (TOD) policy plan areas, and other appropriate areas of the City to request rezoning to rezone to WU Code. She stated that removing geographic restrictions on WU Code will support the City's growing number of TOD areas.

Julianna Pierre explained how transect districts function in WU Code and how each transect has unique standards for building height, frontage, setbacks, lot coverage, and land uses. She also provided examples of product types built within each transect.

Julianna Pierre explained that the text amendment will allow property owners to apply to rezoned to WU Code and update standards regarding single family attached residential development outside TOD districts. She clarified that the text amendment will not automatically rezone any property or modify the rezoning process.

Julianna Pierre discussed the revisions in Addendum A, which include the applicability of regulatory overlay districts and plans and Administrative Temporary Use Permit fees. She clarified that WU Code would not eliminate Overlay Zoning Districts, Redevelopment Areas, Special Planning Districts, or Specific Plans.

Julianna Pierre reviewed the existing zoning tools used to address density and scale, such as density waivers, height waivers, Mid-Rise District, High Rise District, and

Residential Infill District. She stated that if the text amendment were approved, applicants requesting WU Code would still be required to go through the standard rezoning process. She stated that the rezoning evaluation included the pre-application meeting, post-application meeting, and public hearings. She added that the public hearings would allow for public input.

Neal Haddad, a member off the Neighborhood Coalition of Greater Phoenix, stated that the text amendment needs precise documentation for each village along with transect maps. He stated that transect maps would clarify which transects are appropriate in specific locations. He added that the current text amendment process lacked public input.

Bramley Paulin, a member of the public, stated that WU Code was not intended to be implemented citywide. He stated that the text amendment does not prohibit developers from requesting high density or increased height. He stated that the increased density will cause additional traffic and eliminate established single-family neighborhoods.

Vice Chair Shannon Simon asked why the boundaries of the WU code were being pushed citywide rather than remaining close to transit. **Julianna Pierre** explained that WU Code allows for product types that prioritize the pedestrian environment and create walkable spaces. **Vice Chair Shannon Simon** stated that she could imagine WU Code in Village cores, but noted concern with it being permitted citywide. **Julianna Pierre** stated that there is an option to approve the text amendment with modifications to restrict the applicability to Village Cores or along transit lines.

Committee member Julie Read stated that the text amendment did not seem applicable to the North Gateway Village. She added that she was hesitant to approve a text amendment that would make changes for the entire City when a majority of other Village Planning Committees (VPC) voted for denial.

Joshua Bednarek, Deputy Director in the Planning and Development Department, reiterated that the WU Code text amendment will not rezone any properties. He added that are already high density options available in the zoning ordinance, but WU Code will allow for the opportunity to maximize current and future transit investments.

Vice Chair Shannon Simon stated that she's supportive of limiting WU Code to specific areas, but there would need to be clear parameters. She stated that it could be detrimental to open the door to having high density in residential areas.

Bramley Paulin stated that the main issue with the text amendment is that it lacks specificity. He added that the City should have gone out to the public for not only input, but also to educate them about the specifics of WU Code. He reiterated that he is concerned about the impact that the text amendment will have on existing neighborhoods.

Larry Whitesell, a member of the public, stated that WU Code was originally intended for mass transit corridors, Village cores, and emerging centers. He added that WU Code is not appropriate throughout the entirety of the City. He stated that a transect map could help to establish guidelines for where density would be located.

Committee member Steve Tucker asked what issues could expanding the WU Code boundaries resolve. **Joshua Bednarek** stated that WU Code would make development more walkable in appropriate areas and combat challenges of heat, housing, and traffic. He added that the test amendment would only allow WU Code to be an available rezoning option throughout the City.

Vice Chair Shannon Simon asked for clarification regarding the transect maps. **Joshua Bednarek** stated the City's General Plan Land Use Map works as a transect map and can be looked to for density expectations. He added that any rezoning cases requesting WU Code would be evaluated on a case by case basis.

Neal Haddad, stated that WU Code could not be applied without specificity and would not work in a piecemeal fashion. He stated that applicants could utilize the Planned Unit Development (PUD) option if they wanted to use WU Code standards outside of the current WU Code boundaries.

Joshua Bednarek stated that the Z-TA-3-19 would also prevent the need for future text amendment if the City's transit-oriented areas were expanded.

Committee member Julie Read stated that she appreciated hearing the current conversation regarding the proposed text amendment, but felt it would be better to reconsider the item when it had been reworked and addressed community concerns.

MOTION: Committee member Michelle Ricart made a motion to deny Z-TA-3-19. The motion was seconded by **Committee member Julie Read.**

VOTE: 4-0 with Committee members Simon, Read, Ricart, and Tucker in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

None.

North Mountain
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-19

Date of VPC Meeting	October 20, 2021
Request	Presentation, discussion, and possible recommendation on a request to amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts.
VPC Recommendation	Approve
VPC Vote	11-2-2

VPC DISCUSSION:

Six speaker cards were received on this item with all wishing to speak including three in support, one in neutrality, and two in opposition.

STAFF PRESENTATION
Klimek, staff, provided an overview of the proposed text amendment which was presented to all village planning committees in July and to the Encanto VPC at the July 12th meeting. The input received from the informational sessions was studied and the staff recommendation was revised in Addendum A which is now before the committee for a possible recommendation.

The WU Code was originally written to apply only within approximately one-half mile from light rail lines but, since that time it's became clear that the WU Code's form-based approach would be appropriate areas outside of light rail corridors, such as village cores and other high-capacity transit lines. The request removes geographic constraints and would allow owners to request rezoning to the WU Code city-wide. The request does not rezone any property, modify any process, or modify any existing policy plan or standard. The language proposed in Addendum A cleans up the original proposal to clarify how the WU Code will interact with other sections of the code.

The WU Code contains a continuum of urban forms intended to be deployed in different contexts, from suburban to downtown scales, all with an emphasis on trees, shade, and human scale. Some have expressed the concern that the WU Code expansion would proliferate high-density development throughout the city but explained that this is a misconception because there are existing zoning tools that allow high density development in areas where the WU Code is not currently an option, including Planned Unit Developments. While certain WU Code Transects allow for high density, these

transects prescribe pedestrian-oriented requirements that are not required in alternative high-density options. The rezoning process includes substantial oversight including two meetings with staff, one neighborhood meeting, and three public hearings – all focused on determining the appropriateness of a request.

He then provided an overview of the contents of Addendum A and concluded by stating that staff is recommending approval with the item scheduled to appear before the Planning Commission in November.

QUESTIONS FROM COMMITTEE

Veidmark thanked Klimek for sending the presentation in advance of the meeting and stated that it was very helpful to understand the complex issue.

Argiro agreed with Veidmark and thanked Klimek. He asked Klimek to clarify if the text amendment would rezone any property. **Klimek** responded that the text amendment does not rezone any property.

McBride asked if the intent of this text amendment is to put another zoning option on the menu, if it changes any processes to make density easier to access, and if recommendations and decisions would still involve the professional expertise of staff, neighborhood engagement, and the public hearing bodies. Klimek responded that the text amendment provides another zoning tool, does not change any process, and run through the same process as any other zoning case, including public engagement requirements.

Perez asked how many meetings a developer is required to have with the community and if there are requirements for bilingual outreach. **Klimek** responded that all rezoning cases require the applicant to contact all properties owners within 600’ and all registered neighborhood groups within 1 mile to inform and to invite them to their required neighborhood meeting. All applicants must hold one neighborhood meeting followed by three public hearings. The notifications are required in English only but that often, depending on the specific context of the area, that staff will recommend bilingual or enhanced outreach. Perez thanked Klimek and stated that enhanced outreach requirements should be explored.

Jaramillo asked that, if the text amendment is granted, that there would be nothing to prevent an applicant from requesting the WU Code for a high-density project in the middle of a single-family neighborhood. **Klimek** responded that there is nothing to prevent an applicant from asking but that won’t be an issue new to the WU Code. Today, an applicant could request a traditional district for high-density development in an established neighborhood, but he concluded by explaining that the staff analysis and the public processes have withstood such requests effectively for many years and these processes remain unchanged.

Sommacampagna asked for the outcomes from the other villages that have heard the request. **Klimek** responded that he did not have an exact count but explained that it has been mixed with each committee applying their unique perspectives to the request. Some have been supportive because it is another tool to be applied where appropriate. Some have been conditionally supportive recommending approving subject to geographic restrictions. Some have been concerned due to uncertainty of how the code will be rolled out.

Barraza asked if it is possible to stipulate the elements from the WU Code into existing zones. **Klimek** responded that in some areas of the city where WU Code isn't available such as 19North, that staff has been stipulating elements from the WU Code but that there are some items that are in conflict. For example, traditional zones require a minimum building setback to push development away from the public street but the WU Code requires a minimum build-to line to establish a pedestrian orientation to the public sidewalk environment. He concluded by sharing that, in such instances, the regulatory mechanisms of the codes can be in conflict.

McBride asked if the WU Code TA would give any power to a developer requesting to build something adjacent to a single-family neighborhood. She asked if the request would still need to go through staff and community input processes to determine whether the proposal is appropriate to the context of the area. She then asked that, just because an applicant requests something, it doesn't necessarily mean it will be granted. **Klimek** confirmed that the TA expands the eligibility of the WU Code but doesn't change any process. The rezoning process for WU Code or other districts is still going to be 6 months with staff, the community, and recommending bodies and council.

Argiro asked what protections exist to keep inappropriate development from taking hold. **McBride** responded that there is a plan for the city that doesn't allow a high-rise to be located next to a cottage and that staff and the establish public processes exists to further evaluate projects. **Argiro** asked Klimek if the code contains further detail on what the different transect are intended to create. **Klimek** responded that Chapter 13 of the Phoenix Zoning Ordinance contains the WU Code and that it depicts a series of illustrations to depict the different types of "frontage types" required in different transects such a porches, patios, common entries, and forecourts.

Barraza asked if the WU Code could be used to make a project more compatible with its surroundings. **Klimek** responded that a form-based code such as the WU Code is intended to allow for more design discretion to promote compatibility with its contexts, compared to traditional zoning districts that prescribe standards more rigidly. He then raised to examples from the Encanto Village which proposed single-family attached subdivisions located in established neighborhoods; the WU Code allowed for a traditional density in a form that made sense in their established neighborhoods while also allowing for more collaborative conversations with the neighborhood.

Chair Krentz asked if this form-based approach has been used in other cities. **Klimek** responded that many communities have adopted a form-based code as an additional

option and that others have entirely replaced their traditional code in favor of form-based regulations. These communities have determined that their traditional codes have not been producing the broader outcomes they desired, such as walkability and form-based codes can be more directly aligned with greater outcomes desired. He concluded by sharing that the TA would add the WU Code as a small part of the menu of zoning options in Phoenix.

PUBLIC COMMENTS

Ryan Boyd (registered in support of the item) introduced himself as being with the Urban Phoenix Project and thanked the members for their great discussion. He expressed that this TA is about options and that the Village, Planning Commission, and City Council can recommend approving or deny any request that comes before them based on appropriateness. He added that one of the reasons he supports to TA is because of the Housing Phoenix Plan and its dire need for additional housing, especially in small forms such as duplexes and multifamily which is best handled through a form-based code. He added that the lowest intensity transects actually permit a fairly suburban form of development and even for low density redevelopment, an applicant would still need to navigate the 6 month rezoning process.

Sebastean Losch (registered in support of the item) introduced himself as a member of Trillium, a local development group that's based in the 19North Corridor. The WU Code takes a thoughtful approach to its interaction with the adjacent street but also with adjacent land uses. He concluded by thanking the audience and by stating that, Ken Losch, who had registered to speak in support was not able to attend the meeting.

Bramley Paulin (registered neutral of the item) stated that the WU Code was specifically designed for properties along the light rail and its standards encourage reduced setbacks, increase of dwelling units, and reduction of parking. He stated that this is not appropriate for all areas of the city and that it was not ever created for this purpose. He stated that this request is an attack on established single-family residential neighborhoods and that this is part of the city's effort to add 50,000 dwelling units throughout the city, including in established neighborhoods. He concluded by sharing that 8 of the 12 VPCs that have heard the TA have recommended denial.

Larry Whitesell (registered in opposition to item) introduced himself as the Co-Chair of the Peak Neighborhood Association and explained that his concern is that this puts the cart before the horse. Prior to the WU Code being allowed city-wide, there needs to be a new type of General Plan Map that prescribes where each transect is appropriate. Because no guidance exists, there will be no starting point for developers considering an application. He concluded by stating that the city should not take on a major change in the zoning ordinance if they don't have the resources to do it completely incorrectly.

Neal Haddad (registered in opposition to item) introduced himself as being from the Neighborhood Coalition of Greater Phoenix and expressed his agreement with Mr. Paulin and Mr. Whitesell. The WU Code only makes sense when transit is present and, in Phoenix that area is limited so, he asked why does it make sense to expand a transit-

oriented code to govern land that is not walkable and served by transit. He added that the Congress for New Urbanism has stated that a form-based code should be accompanied by a transect map that has been developed with public input to guide density to where it belongs. At this stage, there are no standards or vision for how the code will be applied.

STAFF RESPONSE
Klimek, staff, thanked the public speakers for their comments and input. He provided a series of closing remarks. The WU Code was written to create high-quality and pedestrian oriented development along the light rail but that, like any effective tool, the WU Code was discovered to be the best tool for additional areas of the city. He stated that the text amendment is pre-requisite to develop policy for how the code may be most effectively deployed outside of light rail corridors because those conversations would have been hypothetical without the ability to use it. The intent of this text amendment is not to replace traditional zoning but instead to allow the flexibility to use it where appropriate in areas such as village cores. The city has longed planned for intensity in its village cores and, that level of policy guidance would be used to support intensity whether through the WU Code or a traditional district and that this text amendment does not support density anywhere and everywhere.

McBride asked again for confirmation that the TA does not rezone any property and would only be allowed as an option where appropriate. **Klimek** confirmed that the TA does not rezone property, does not modify any existing process, and that those processes are intended to determine appropriateness. **McBride** concluded by stating that she's worked extensively with the Planning and Development Department on zoning and development processes and found all representatives to be thoughtful and diligent in their support of good development in appropriate locations. She added that it isn't up to the developer to determine appropriateness, it is up to staff, the community, and the recommending bodies.

O'Connor asked if there is a minimum size threshold for the WU Code because, in his experience, only areas of a certain magnitude can create walkability by creating multiple complementary uses to attract and retain individuals. **Klimek** responded that the walkability can be achieved at two scales. In large projects where they can create a gravity onto themselves as described by Member O'Connor. But, also in smaller projects that may exist at the periphery of an existing district or at an infill location where a form-based approach allows a small project to contribute to the overall walkability of the areas. An example of a large project is the redevelopment at Park Central Mall and examples of small projects are the two infill subdivisions described earlier in the discussion.

Vice Chair Jaramillo asked how a transect map would look compared to the city's existing General Plan Land Use Maps. **Klimek** responded that the existing General Plan Map provides guidance on land use and intensity for every parcel in the city, such as "residential 10-15 dwelling units per acre." A transect map would also touch every property, or every property where it can apply, and would prescribe what transect or

transects would be appropriate and exactly where. If the city were transitioning entirely to a transect based development ordinance, a transect based land use map would be prudent. However, the TA proposes the WU Code as a small part of all zoning tools and therefore a new map is not required.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE

MOTION:
McBride motioned to approve the require per the staff recommendation contained in Addendum A. **Sommacampagna** seconded the motion.

DISCUSSION:
Alauria stated that she will be abstaining because she does not feel the committee has enough information.

Argiro stated that he would be more inclined to support the request if it were restricted geographically but indicated the limited amount of information makes him nervous. He stated that he will be voting no.

Chair Krentz asked staff if the committee could make a motion that includes a geographic restriction to, for example, village cores, urban centers, and transit corridors. **Klimek** responded that, if so inclined, the committee can recommend approval with specific geographic restrictions, but he noted that there is presently a motion on the floor with a second so that motion would need to be rescinded or voluntarily withdrawn.

Barraza stated that the existing processes offer sufficient protections through staff review, public input, and public hearings and will therefore support the motion.

Perez thanked her colleagues and the public speakers for adding depth to the conversation.

VOTE: 11-2-2, motion passes with, Barraza, Carrell, Larson, McBride, , O'Hara, Perez, Sommacampagna, Steinmetz, Veidmark, Whitney, and Chair Krentz in favor; Argiro, and Vice Chair Jaramillo in dissent; Alauria and O'Connor in abstention.

Paradise Valley
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-19

Date of VPC Meeting	October 4, 2021
Request	Amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts
VPC Recommendation	Approval
VPC Vote	16-0

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Mr. David Simmons, staff, provided an overview of the request to include background of how the WU Code came to fruition in the first place. He went over what this Text Amendment request would update to include the expansion on the WU Code boundaries, amendment of the zoning fee schedule, and minimum acreage limitations for Charter Schools. Mr. Simmons elaborated on why expanding the WU-Code boundaries would help the growth of the City of Phoenix. He shared that it would support the Housing Phoenix Plan, it would promote pedestrian oriented design and set no limit on dwelling unit density. Further, Mr. Simmons shared that the Kierland area has largely redeveloped through PUD rezoning requests, which utilize WU-Code standards in the PUD narratives. Mr. Simmons also went over WU-Code design standards, which focus on design rather than land use, a form based code. Mr. Simmons shared the hearing schedule with the committee, stating that this will come back in front of them for recommendation in the near term.

VPC Response:

Mr. Roy Wise asked staff what the advantages are for this request.

Mr. David Simmons, staff, explained to the committee that future prospective applicants will be able to consider opting for WU Code rather than a PUD request as the development standards are similar. PUD cases often utilize WU Code standards. He explained that WU Code requests do not require an applicant to host two neighborhood meetings or go to Village twice prior to

moving forward to Planning Commission and City Council like the PUD requirements mandate.

MOTION:

Mr. Robert Goodhue made a motion to recommend approval of Text Amendment Case No. Z-TA-3-19, per the staff recommendation.

Mr. Alex Popovic seconded the motion.

VOTE:

16-0 with committee members Balderrama, Bowman, DiMassa, Gerst, Goodhue, Hall, Mazza, Mortensen, Petersen, Popovic, Severs, Sparks, Ward, Wise, Lesher and Gubser in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:
None.

Rio Vista
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-19

Date of VPC Meeting	October 12, 2021
Request	Presentation, discussion, and possible recommendation regarding a request to amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts and administrative temporary use permits.
VPC Recommendation	Denial
VPC Vote	3-2

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Julianna Pierre stated that the intent of Z-TA-3-19 is to allow the Walkable Urban (WU) Code to be applied to properties citywide. She stated that this will allow property owners along future light rail extensions, within Transit Oriented Development (TOD) policy plan areas, and other appropriate areas of the City to request rezoning to rezone to WU Code.

Julianna Pierre explained that the text amendment will remove geographic restrictions on WU Code, allow property owners to apply to rezoned to WU Code, and update standards regarding single family attached residential development outside TOD districts. She clarified that the text amendment will not automatically rezone any property or modify the rezoning process.

Julianna Pierre discussed the revisions in Addendum A, which include the applicability of regulatory overlay districts and plans and Administrative Temporary Use Permit fees. She clarified that WU Code would not eliminate Overlay Zoning Districts, Redevelopment Areas, Special Planning Districts, or Specific Plans.

Julianna Pierre reviewed the existing zoning tools used to address density and scale, such as density waivers, height waivers, Mid-Rise District, High Rise District, and Residential Infill District. She stated that if the text amendment were approved, applicants requesting WU Code would still be required to go through the standard rezoning process. She stated that the rezoning evaluation included the pre-application meeting, post-application meeting, and public hearings. She added that the public hearings would allow for public input. She also provided examples of low-density products that were developed under WU Code zoning.

Chair Massimo Sommacampagna asked about how WU Code would be implemented. **Julianna Pierre** explained that applicants would request a WU Code transect and would have to go through the standard rezoning process. She explained that during the rezoning process, staff would evaluate whether the requested transect is appropriate. **Chair Massimo Sommacampagna** asked to explain form-based code and how it is different from traditional zoning. **Julianna Pierre** explained that form-based code is focused on design while traditional zoning is more focused on land use standards. She stated that form-based code can give greater diversity in housing options and WU Code, specifically, prioritizes the pedestrian environment.

Bramley Paulin, a member of the public, stated that he had concerns about transects and how they would be implemented throughout the City. He stated that there is no certainty as to where high density would be requested and it could be built directly adjacent to single-family neighborhoods.

Larry Whitesell, a member of the public, stated that WU Code would allow 0-foot setbacks, increased density, and increased height where it does not belong. He stated that WU Code is not applicable citywide. He added that the text amendment should, at least, be accompanied with transect maps.

Vice Chair Steven Scharboneau asked for clarification regarding regulatory standards. **Julianna Pierre** stated that regulatory standards in specified zoning districts, regulatory standards and plans would prevail over WU Code. **Committee member Chris Gonzalez** stated that he had concerns not knowing all the specific conflicts that could arise between WU Code, the Zoning Ordinance, and other regulatory plans.

Chair Massimo Sommacampagna stated that he had concerns with the lack of public input and the text amendment possibly allowing additional leeway for developers. He added that the text amendment may not be needed in the Rio Vista Village.

Julianna Pierre asked if the VPC felt that the text amendment was applicable to specific geographic areas, such as Village Cores or along transit lines. **Vice Chair Steven Scharboneau** expressed concerns since the current Rio Vista Village Core is not located where it should be in the Village. **Julianna Pierre** and the committee members discussed possible language that could be used if the text amendment was approved with a modification restricting application to specific geographic areas.

MOTION: **Committee member Ozzie Virgil** made a motion to deny Z-TA-3-19. The motion was seconded by **Vice Chair Steven Scharboneau**.

VOTE: 3-2 with Committee members Scharboneau, Virgil, and Gonzalez in favor and Committee members Sommacampagna and Lawrence in opposition.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:
None.

South Mountain
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-19

Date of VPC Meeting	October 12, 2021
Request	Presentation and discussion on a request to amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts.
Recommendation	Denial
Vote	**5-4-1**; Members Brownell, Busching, Shepard, Smith and Marchuk in favor; Members Brooks, Muhammad, Viera and Daniels in dissent; Member Aldama abstained.

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

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

Enrique Bojórquez, staff, introduced himself and provided a presentation on this citywide text amendment case Z-TA-3-19. He provided a summary of the request involving the expansion of the Walkable Urban (WU) code applicability area, noting the existing boundaries where WU code is available today. He discussed the need for this text amendment given the expansion of mass-transit to other parts of the city. The various WU Code Transects were explained, providing examples of low, medium and high-intensity transects. This proposal would allow property owners to rezone to WU Code citywide and update standards regarding single-family attached standards outside of TOD areas. This proposal does not rezone any property, does not modify the current rezoning process, does not modify the applicability or standards of adopted City policy plans including TOD District plans. Addendum A of the staff report revises applicability of regulatory overlay districts and plans, plus adds Administrative Temporary Use Permit fees. An overview of existing zoning tools, rezoning evaluation process and impacts was provided. Staff recommends approval per Addendum A of the staff report and discussed the schedule for this case.

Greg Brownell asked the following questions:

- What is the enforceability with the process for this text amendment?
- How will deviations from WU Code standards be enforced?
- How will the city enforce standards in the WU Code?

Mr. Bojórquez responded that cases seeking to rezone to WU Code would follow the same process as any other rezoning case. Proposals to deviate from the WU Code standards would require a variance, which undergoes a separate public hearing process from a rezoning case. The city would enforce the standards in the WU Code just like it would enforce any other standards in another rezoning case, as required by the Zoning Ordinance or adopted Ordinance.

Vice Chair Marchuk is pleased with the changes made to the original proposal, but still believes that some areas of the Village are not walkable. He asked if there is a "Walk Score" or General Plan component to the Walkable Urban Code. **Mr. Bojórquez** discussed the proposal and the analysis process that cases seeking rezoning undergo. The WU Code would be an option citywide as currently proposed.

Marcia Busching has had lots of conversations regarding this request and appreciates Addendum A of the staff report to help clarify some of the conflicts. She has two major concerns regarding the request that pertain to the applicability of WU Code citywide and also that there is nothing walkable about this. She asked how many Village Planning Committee's had heard this text amendment case. **Mr. Bojórquez** responded that only a few VPC's had heard this case so far, and the recommendations varied.

Muriel Smith agrees with Ms. Busching and feels that this is best suited to areas in Downtown Phoenix. The committee could look at this proposal another time in the future.

Mr. Brownell is a fan of the WU Code, but feels that these efforts are missing something important.

Vice Chair Marchuk agrees with Mr. Brownell and has concerns about the execution or implementation of this code.

Chairwoman Daniels likes the WU Code overall and added that other cities are using something similar. She talked about the benefits that the WU Code would bring to parts of the South Mountain Village, especially between 7th Avenue to 7th Street. She discussed density and character, adding that we are planning for the future 20 to 30 years out. She then asked for public comment on this case.

Neal Haddad, member of the public, introduced himself and stated that he is opposed to this proposal. The WU Code only works where transit is present, not citywide as there is a need for a transect map. He discussed issues with the existing bus network, adding that there is no vision document to help with the desired results. The WU Code gives height and density in addition to a parking waiver. Village Planning Committees do not understand this text amendment.

Bramley Paulin, member of the public, introduced himself and has concerns with this text amendment case. No public input has been obtained whatsoever and has concerns with the proposed height and density standards associated with WU Code. He has process-related concerns, cited issues for single-family and rural neighborhoods. He encourages the committee to deny this request.

Vice Chair Marchuk asked if a subcommittee could be formed to discuss this text amendment request. **Mr. Bojórquez** responded that forming a subcommittee was not possible at this time due to the limitations provided at the last meeting by staff.

Chairwoman Daniels asked if a continuance for this case would be possible. **Mr. Bojórquez** responded that staff would prefer to maintain the current schedule as all VPC's are expected to provide a recommendation this month before the case goes to Planning Commission in early November.

Fatima Muhammad Roque asked if staff would repeat some of the possible geographic boundaries where WU Code could be restricted to.

Mr. Bojórquez responded that the committee could limit the applicability of WU Code to Village Cores or along mass-transit corridors, among other possible boundary restrictions.
Ms. Busching has concerns with approving this case with more defined geographic boundaries without additional time to analyze these boundaries. **Mr. Bojórquez** provided an overview of the request and added that the committee has the ability to add more defined geographic boundaries if this would alleviate some of the concerns voiced during the meeting.

MOTION:

Ms. Shepard motioned to deny case Z-TA-3-19. **Ms. Busching** seconded the motion to deny.

DISCUSSION:
George Brooks prefers to continue this case to a future meeting. **Mr. Brownell** agrees with Ms. Bushing's comments. **Vice Chair Marchuk** added that additional time to analyze any changes would be helpful.

VOTE:
5-4-1, motion passed; Members Brownell, Busching, Shepard, Smith and Marchuk in favor; Members Brooks, Muhammad, Viera and Daniels in dissent; Member Aldama abstained.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

None.

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

ADDENDUM B
Staff Report: Z-TA-3-19
(Walkable Urban Code Expansion/Fee Schedule Update)
December 3, 2021

Application No Z-TA-3-19: Amend Chapter 3 (Decision Making and Administrative Bodies), Chapter 5 (Development Review Procedures) and Chapter 13 (Walkable Urban Code) of the Zoning Ordinance to expand the WU Code boundaries citywide, including updates to clarify relevant policy plans, clarification of WU Code process and procedure, and updating general lot standards relevant to the expansion; and amend the Zoning Fee Schedule to include fees for WU Code Transect Districts, Downtown Code-Character Areas, and update fees for new processes.

Staff recommendation: Staff recommends approval of Z-TA-3-19 as shown in the recommended text in Exhibit A.

The purpose of this Addendum is to address revisions to the recommended text in Exhibit A. Below is a summary of the proposed revisions to the text amendment which are also denoted as underlined text in Exhibit A.

1. **Section 1301.C**

   New language is proposed to modify the Walkable Urban (WU) Code's applicability provision to allow the WU Code to apply to land uses, subdivisions, and development within approved Transit Oriented Development (TOD) District Boundaries as depicted on the Transit Oriented Communities Map (Exhibits A and B).

   During the Village Planning Committee (VPC) meetings, staff heard various concerns regarding the proposed revisions in the Addendum A Staff Report to expand WU Code applicability citywide. These concerns are summarized as follows:

   - Concerns regarding the compatibility of WU Code development standards and design guidelines with established neighborhoods.
   - Concerns regarding implementing the proposal without transect maps for impacted properties.
   - Preferences to limit WU Code applicability to major transit corridors, bus rapid-transit corridors, light rail corridors, TOD districts, and/or Village Cores.

Two VPCs recommended approval with a modification to limit the proposed expansion of WU Code applicability to either high-capacity transit corridors (Ahwatukee Foothills) or high-capacity transit corridors and Village Cores (Laveen).

The proposed revision addresses many of these concerns by limiting applicability of the WU Code to the Reinvent Phoenix TOD Policy Plan areas and within approved TOD district boundaries. The existing Ordinance language already permits WU Code development in the Reinvent Phoenix TOD Policy Plan areas and there is no change to this existing provision. The five existing Reinvent Phoenix TOD Policy Plans are Gateway, Eastlake-Garfield, Midtown, Uptown, and Solano.

New proposed language regarding approved TOD district boundaries would expand applicability of the WU Code to the 19North, 50th Street Station Area, Capitol Extension, I-10 West Extension, Northwest Extension Phase II, and South Central TOD districts. These six TOD districts have defined geography documented in Phoenix City Council adopted policy plans (19 North), Federal Transit Administration planning grants (Capitol Extension, I-10 West Extension, Northwest Extension Phase II, and South Central), or are located within close proximity to an existing Valley Metro Rail station (50th Street Station Area). Expanding applicability of the WU Code to these TOD districts is consistent with the City's significant planning and investment in public transit within these areas. The proposal is also consistent with the recommendations of the Ahwatukee Foothills and Laveen Village Planning Committees and responsive to concerns raised in other VPC meetings.

The proposed revision includes a new map titled the "Transit Oriented Communities Map" which depicts the boundaries of the five existing Reinvent Phoenix TOD Policy Plan areas and the six additional TOD districts as described above. This map is included in the revised text (Exhibits A and B) to confirm the proposed WU Code applicability area. Expansion of WU Code applicability outside the areas depicted on this map would require a future text amendment to this map and/or related text.

2. Section 1306.H.1.b

One minor revision is proposed to this section regarding use permit requirements for interim vacant lot activation. Given the proposed revision to Section 1301.C it is appropriate to permit property owners within areas depicted on the Transit Oriented Communities Map, who do not meet the geographic restrictions outlined in Section 1306.H.1, an opportunity to apply for a use permit for interim vacant lot activation. This modification is consistent with the proposed expansion of WU Code applicability and with the current process for properties within the boundaries of the existing Reinvent Phoenix TOD Policy Plan areas.

3. **Section 1311.A.1**

   One minor revision is proposed to this section regarding general design development considerations to remove references to the names of the Reinvent Phoenix TOD Policy Plan areas. This revision is solely to clarify that the stated goal of encouraging walking and bicycling should apply to any property designated with WU Code zoning.

4. **Section 1313.D.3.a**

   One minor revision is proposed to this section to delete the Transit Oriented Development Districts Map. This graphic is not referred to in Section 1313 and is not referenced in any other Zoning Ordinance section. This map is unnecessary, outdated, and conflicts with the Transit Oriented Communities Map proposed to be added to Section 1301.C.

Transit Oriented Communities Map: Included in this Addendum as Exhibit B is a copy of the Transit Oriented Communities Map which is depicted in Exhibit A – Proposed Language in Section 1301.C.

Village Planning Committee meeting results: Included in this Addendum as Exhibit C is a summary of the results of the Village Planning Committee meetings regarding the proposal.

Correspondence: Included in this Addendum as Exhibit D are four pieces of correspondence received by staff since the approval of the Addendum A Staff Report.

Exhibits
Exhibit A: Proposed Language (9 pages)
Exhibit B: Transit Oriented Communities Map (1 page)
Exhibit C: Village Planning Committee meeting results summary (3 Pages)
Exhibit D: Correspondence (5 pages)

EXHIBIT A
Text Amendment Z-TA-3-19: Walkable Urban Code Expansion/Fee Schedule Update

Proposed Language:

Amend Section 309.A (Design Review Committee) to read as follows:

A.	**Powers and Duties.** The Design Review Committee shall have the power and duty under the provisions of these regulations to hear specific items appealed by the development review applicant contesting decisions made by the Planning and Development Department regarding the interpretation and implementation of design guidelines and architectural diversity standards, to review and approve Design Alternatives and Sustainability Bonuses for properties within the boundaries of the Downtown Code, and to review and approve design alternatives and modification to PROPERTIES WITH ~~standards within the boundaries of the~~ Walkable Urban Code ZONING.
***	

Amend Section 507.G (Design Alternatives and Sustainability Bonus Appeals) to read as follows:

G.	**Design Alternatives and Sustainability Bonus Appeals**. A Design Alternative or Sustainability Bonus Appeal is a deviation from the prescribed standards and design guidelines. Design Alternatives and Sustainability Bonus Appeals apply to properties within the boundary of the Downtown Code, which would result in a furtherance of the goals and policies of the Downtown Phoenix Plan and the specific intent of the subject Character Area as approved by the DRC. Design Alternatives apply to properties ~~within the boundaries of the~~ WITH Walkable Urban Code ZONING, which would result in a furtherance of the goals and policies of ~~the Gateway, Eastlake-Garfield, Midtown, Uptown and Solano~~ Transit Oriented ~~District (TOD)~~ Policy Plans OR OTHER RELEVANT POLICY PLANS.
***	

Amend Section 507.G.1.c to read as follows:

c.	A narrative statement describing the justification for the Design Alternative and the manner in which the proposed Design Alternative would result in a furtherance of the goals and policies of the Downtown Phoenix Plan, ~~or of the Gateway, Eastlake-Garfield, Midtown, Uptown and Solano TOD~~ TRANSIT ORIENTED Policy Plans, OR OTHER RELEVANT POLICY PLANS and would satisfy the findings required for approval;
***	

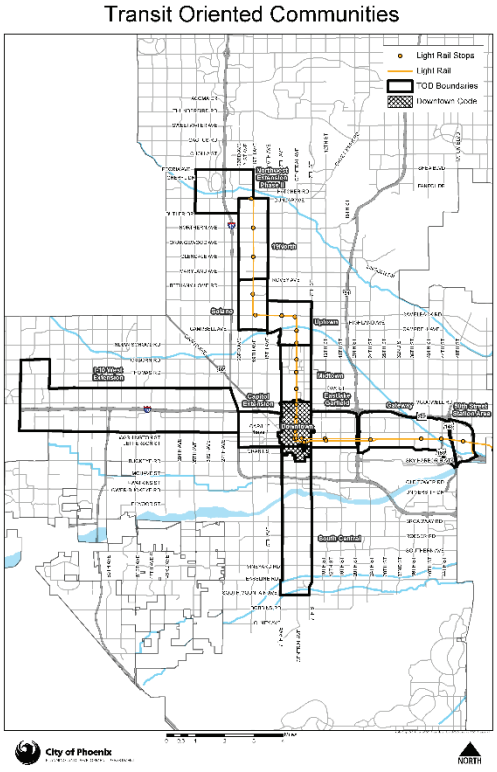
Amend Section 507.G.4.c to read as follows:

c.	That the project demonstrates design excellence by addressing Design Alternatives that demonstrate conformance with the intent of the Walkable Urban Code as set forth in Section 1301.B and in general conformance with the policies contained within the ~~Gateway, Eastlake-Garfield, Midtown, Uptown and Solano TOD~~ TRANSIT ORIENTED Policy Plans OR OTHER RELEVANT POLICY PLANS. The modifications must meet the standards set forth in Section 1313.
***	

Amend Section 1301.B (Purpose and Intent) to read as follows:

B.	**Purpose and Intent.** The ~~primary~~ purposeS of this chapter ~~is~~ ARE to implement the vision and policies of ~~the~~ Transit Oriented ~~District (TOD)~~ Policy Plans ~~for Gateway, Eastlake-Garfield, Midtown, Uptown and Solano~~; encourage an appropriate mixture and density of activity ~~around transit stations~~; to increase transit ridership in general and along ~~the Central Phoenix/East Valley Light Rail Corridor in particular~~ TRANSIT CORRIDORS; ~~and~~ to promote multiple modes of transportation;~~. The secondary purpose of the Code~~ to improve pedestrian safety from crime~~,~~; to avoid or mitigate nuisances~~,~~; to promote ~~the~~ public health~~,~~; to decrease automobile-dependence~~,~~; and to mitigate the effects of congestion and pollution. These regulations seek to achieve these purposes by providing the following:
***	

Amend Section 1301.C (Applicability) to read as follows:

C.	**Applicability.** The Walkable Urban Code may be applied and is limited to land uses, subdivisions, and development within ~~the Reinvent PHX Transit Oriented District Policy Plans~~ APPROVED TRANSIT ORIENTED DEVELOPMENT (TOD) DISTRICT BOUNDARIES AS DEPICTED ON THE TRANSIT ORIENTED COMMUNITIES MAP ~~for Gateway, Eastlake-Garfield, Midtown, Uptown and Solano. The boundaries of these areas are shown in the District Maps located in the Transit Oriented District Policy Plans for Gateway, Eastlake-Garfield, Solano, Midtown and Uptown~~.	
Transit Oriented Communities 		
	1.	~~When in conflict, text and numerical metrics in tables shall take precedence over diagrams and illustrations.~~ WALKABLE URBAN CODE TRANSECT DISTRICTS ARE ZONING DISTRICTS AND MAY BE APPLIED FOR THROUGH THE PROCEDURES OUTLINED IN SECTION 506.B.
	2.	The Zoning Ordinance of the City of Phoenix applies in its entirety for properties subject to Chapter 13 except as follows:

		a.	~~If a conflict occurs between requirements of the WU Code and the City of Phoenix Zoning Ordinance, the requirements of the WU Code shall prevail.~~ PROPERTIES WITH HISTORIC PRESERVATION (HP) ZONING ARE SUBJECT TO THE PROVISIONS OF CHAPTER 8, HISTORIC PRESERVATION. IN THE EVENT OF A CONFLICT BETWEEN THE PROVISIONS OF CHAPTER 8 AND CHAPTER 13, THE PROVISIONS OF CHAPTER 8 SHALL PREVAIL.
		b.	~~Properties with Historic Preservation (HP) zoning are subject to the provisions of Chapter 8, Historic Preservation. In the event of a conflict between the provisions of Chapter 8 and Chapter 13, the provisions of Chapter 8 shall prevail.~~ ~~IF A CONFLICT OCCURS BETWEEN REQUIREMENTS OF THE WALKABLE URBAN CODE AND THE REMAINDER OF THE CITY OF PHOENIX ZONING ORDINANCE, THE REQUIREMENTS OF THE WALKABLE URBAN CODE SHALL PREVAIL.~~ THE WALKABLE URBAN CODE DOES NOT ELIMINATE ANY OVERLAY ZONING DISTRICT, REDEVELOPMENT AREA, SPECIAL PLANNING DISTRICT, OR SPECIFIC PLAN. WHERE CONFLICTS OCCUR BETWEEN THE REQUIREMENTS OF THE WALKABLE URBAN CODE AND OVERLAY ZONING DISTRICTS, REDEVELOPMENT AREAS, SPECIAL PLANNING DISTRICTS, OR SPECIFIC PLANS, THE REQUIREMENTS OF THE OVERLAY ZONING DISTRICT, REDEVELOPMENT AREA, SPECIAL PLANNING DISTRICT, OR SPECIFIC PLAN SHALL APPLY.
		C.	IF A CONFLICT OCCURS BETWEEN REQUIREMENTS OF THE WALKABLE URBAN CODE AND THE REMAINDER OF THE CITY OF PHOENIX ZONING ORDINANCE, THE REQUIREMENTS OF THE WALKABLE URBAN CODE SHALL PREVAIL.
	3.	WHEN IN CONFLICT, TEXT AND NUMERICAL METRICS IN TABLES SHALL TAKE PRECEDENCE OVER DIAGRAMS AND ILLUSTRATIONS.	
***			

Amend Section 1303.A (General Lot Standards) to read as follows:

A.	**General Lot Standards.**	
	1.	~~The single-family attached development option (SFA) is allowed in all transect districts except T3:2 and must meet sections 608.F.8 and 615, Table B.~~SUBDIVISIONS SHALL COMPLY WITH DEVELOPMENT STANDARDS PER THIS CHAPTER, INCLUDING FRONTAGE

		STANDARDS, FOR ALL EXISTING AND NEWLY CREATED LOTS ABUTTING PUBLIC STREETS, PRIVATE ACCESSWAYS, AND PRIVATE DRIVEWAYS, WITH THE FOLLOWING CAVEATS:			
		a.	A DEVELOPMENT MAY INSTEAD UTILIZE THE SINGLE-FAMILY ATTACHED DEVELOPMENT OPTION STANDARDS PER SECTION 608.F.8 AND SECTION 614, TABLE B, COLUMN D (EXCEPT FOR THE DENSITY, WHICH IS NOT RESTRICTED) IF IT MEETS ALL THREE OF THE FOLLOWING CONDITIONS:		
			(1)	THE DEVELOPMENT CONSISTS SOLELY OF ATTACHED DWELLING UNITS AND ALLOWABLE ACCESSORY USES;	
			(2)	THE DEVELOPMENT IS LOCATED WITHIN THE APPLICABLE AREA FOR THE SINGLE-FAMILY ATTACHED DEVELOPMENT OPTION OR THE INFILL DEVELOPMENT DISTRICT AS DEPICTED ON THE MAP PROVIDED IN SECTION 608.F.8; AND	
			(3)	THE DEVELOPMENT IS LOCATED IN ANY TRANSECT OTHER THAN T3.	
		b.	ALL SUBDIVISIONS MUST COMPLY WITH THE REQUIREMENTS OF THE SUBDIVISION ORDINANCE (CHAPTER 32 OF THE CITY CODE), AS MAY BE MODIFIED BY THE SUBDIVISION COMMITTEE TO FURTHER THE GOALS OF THE WALKABLE URBAN CODE.		
	2.	~~Development in T4, T5 and T6 shall follow the same setback and stepback standards as the single-family attached development option. If development is adjacent to a single-family zoning district (Sections 611, 613) or historic preservation designated property or district the following additional requirements shall apply:~~ ALL DEVELOPMENTS ADJACENT TO SINGLE-FAMILY ZONING DISTRICTS SHALL FOLLOW THE SAME SETBACK AND STEPBACK STANDARDS AS THE SINGLE-FAMILY ATTACHED DEVELOPMENT OPTION (SECTION 614, TABLE B, COLUMN D); WITH ADDITIONAL REQUIREMENTS AS FOLLOWS:			
		a.	~~Minimum ten-foot landscape setback, except for single-family detached dwellings.~~ STEPBACK PROVISION SHALL NOT EXCEED MAXIMUM 75-FOOT SETBACK FROM REAR AND SIDE PROPERTY LINES FOR BUILDING HEIGHT BEFORE MAXIMUM HEIGHT ALLOWED.		
		b.	~~Stepback provision shall not exceed maximum 75-foot setback from rear and side property lines for building height before maximum height allowed.~~ FOR ALL DEVELOPMENT ABUTTING A HISTORIC		

			PRESERVATION DESIGNATED PROPERTY OR DISTRICT, A MINIMUM TEN-FOOT LANDSCAPE SETBACK SHALL BE PROVIDED.
		c.	NO STEPBACK PROVISIONS OR LANDSCAPE SETBACKS ARE REQUIRED WHERE THE DEVELOPMENT ABUTS A PERMANENT OPEN SPACE AT LEAST 40 FEET IN DEPTH, SUCH AS A WASH, PRESERVE, PARK, EXISTING GOLF COURSE, OR DEDICATED OPEN SPACE.
***			
	6.	**~~Primary~~ Frontages**. Lot lines abutting a right-of-way, PRIVATE ACCESSWAY, OR PRIVATE DRIVEWAY are designated as primary frontage lineS or secondary frontage lineS as follows:	
		a.	For lots abutting a right-of-way, PRIVATE ACCESSWAY, OR PRIVATE DRIVEWAY along a single lot line, the abutting lot line is designated the primary frontage.
		b.	For lots abutting MULTIPLE rights-of-way, PRIVATE ACCESSWAYS, OR PRIVATE DRIVEWAYS ~~along multiple streets right-of-way~~, primary frontage is designated by the Planning and Development Department, AND all remaining frontages are designated secondary frontages.
***			

Amend Section 1304.F.2 (Building and Shade) to read as follows:

2.	Developments should include shading along their entire ~~right-of-way~~ frontage, excluding driveways, loading, and service berths.
***	

Amend Section 1305.A (Applicability) to read as follows:

A.	**Applicability**. Standards and frontage types in this section regulate the area between the property line and the front facade of a building in order to support an urban, pedestrian and transit oriented environment ~~within the boundaries of the WU Code~~.
***	

Amend Section 1306.A (Applicability) to read as follows:

A.	**Applicability**. The Land Use Matrix in Table 1306.1 shall apply to all PROPERTIES WITH WALKABLE URBAN CODE ZONING ~~land uses within the WU Code boundaries~~.
***	

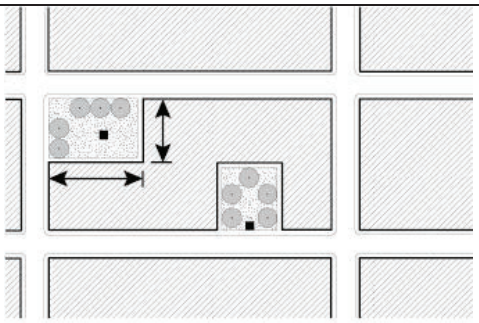
Amend Section 1306.H.1.b to read as follows:

b.	Allowed with use permit if property outside the areas noted above ~~but within the Transit District Policy Plans for Gateway, Eastlake-Garfield, Midtown, Uptown and Solano~~.
***	

Amend Section 1310.A (Open Space Guidelines) to read as follows:

A.	**Open Space Guidelines**		
	1.	Parcels zoned T3 are exempt from required public OPEN space improvements.	
	2.	Open space requirements for ~~commercial, nonresidential and mixed-use development~~ DEVELOPMENTS WITHIN THE T4, T5, AND T6 TRANSECTS ARE as follows:	
		a.	For sites of one gross acre or larger, minimum open space of at least five percent of the gross ~~lot~~ SITE area shall be required. FOR DEVELOPMENTS UTILIZING THE SINGLE-FAMILY ATTACHED DEVELOPMENT OPTION STANDARDS IN ACCORDANCE WITH SECTION 1303.A.1.A, OPEN SPACE SHALL BE PROVIDED AS REQUIRED BY SECTION 614, TABLE B, COLUMN D, REGARDLESS OF LOT SIZE.
		***	

Amend Section 1310, Table 1310.1 (Public Space Type Guidelines) to read as follows:

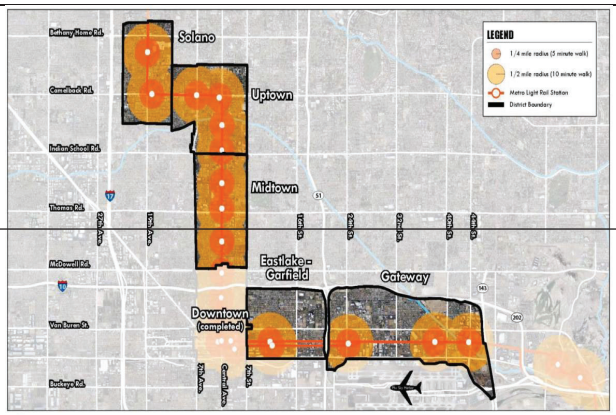
Table 1310.1 Public OPEN Space Type Guidelines		
PUBLIC OPEN SPACES		
Transect Zone	T4, T5, T6	
Size	Five percent of the gross site area above one acre.*	
Edge Condition	One side minimum fronting a thoroughfare or pedestrian way.	
Surface	Paved and landscaped.	
Shade and Landscaping	50 percent shade provided by trees. Ground cover and shrubs: Should be provided in areas with no pavement or structures.	
*SINGLE-FAMILY ATTACHED DEVELOPMENTS MUST PROVIDE OPEN SPACE AS REQUIRED PER SECTION 1310.A.2.A.		
***		

Amend Section 1311.A.1 (General Considerations) to read as follows:

c.	Walking and bicycling should be encouraged ~~within the Gateway, Eastlake-Garfield, Midtown, Uptown and Solano Districts~~, particularly in support of transit services, TRANSIT ORIENTED POLICY PLANS, AND OTHER RELEVANT POLICY PLANS:
***	

Amend Section 1313.D.3.a to remove the map and read as follows:

a.	An approval from the DRC shall be included on the final site plan.
~~Transit Oriented Development Districts Map~~	



***

Amend Appendix A (Zoning Fee Schedule) to read as follows and renumber accordingly:

1 [Fee schedules].

A. Applications for zoning amendments, hillside density waivers, written certification of zoning, promotional event permits, and specific plans shall be accompanied by appropriate fees as determined from the following schedule:

1. *Fees.*

***

7.	REZONING TO WALKABLE URBAN (WU) CODE			
	A.	T3:2, T4:2, AND T4:3	$2,655.00 PLUS $210.00 PER ACRE OR PORTION THEREOF
	B.	T5:2, T5:3, T5:5, T5:6, T5:7, AND T6:7	$3,910.00 PLUS $415.00 PER ACRE UP TO 40 ACRES, $210.00 FOR MORE THAN 40 ACRES UP TO 100 ACRES, AND $70.00 PER ACRE FOR MORE THAN 100 ACRES
	C.	T6:15 AND T6:22	$8,610.00 PLUS $830.00 PER ACRE OR PORTION THEREOF
	D.	T6:HWR	IF PART OF THE ORIGINAL ZONING REQUEST, NO

				ADDITIONAL FEE. IF A SEPARATE REQUEST, 30% OF THE T6:15 OR T6:22 FILING FEE APPLICABLE TO THE PROPERTY.
	***			
	21.	ADMINISTRATIVE TEMPORARY USE PERMIT		$135.00
	***			

EXHIBIT B
Transit Oriented Communities

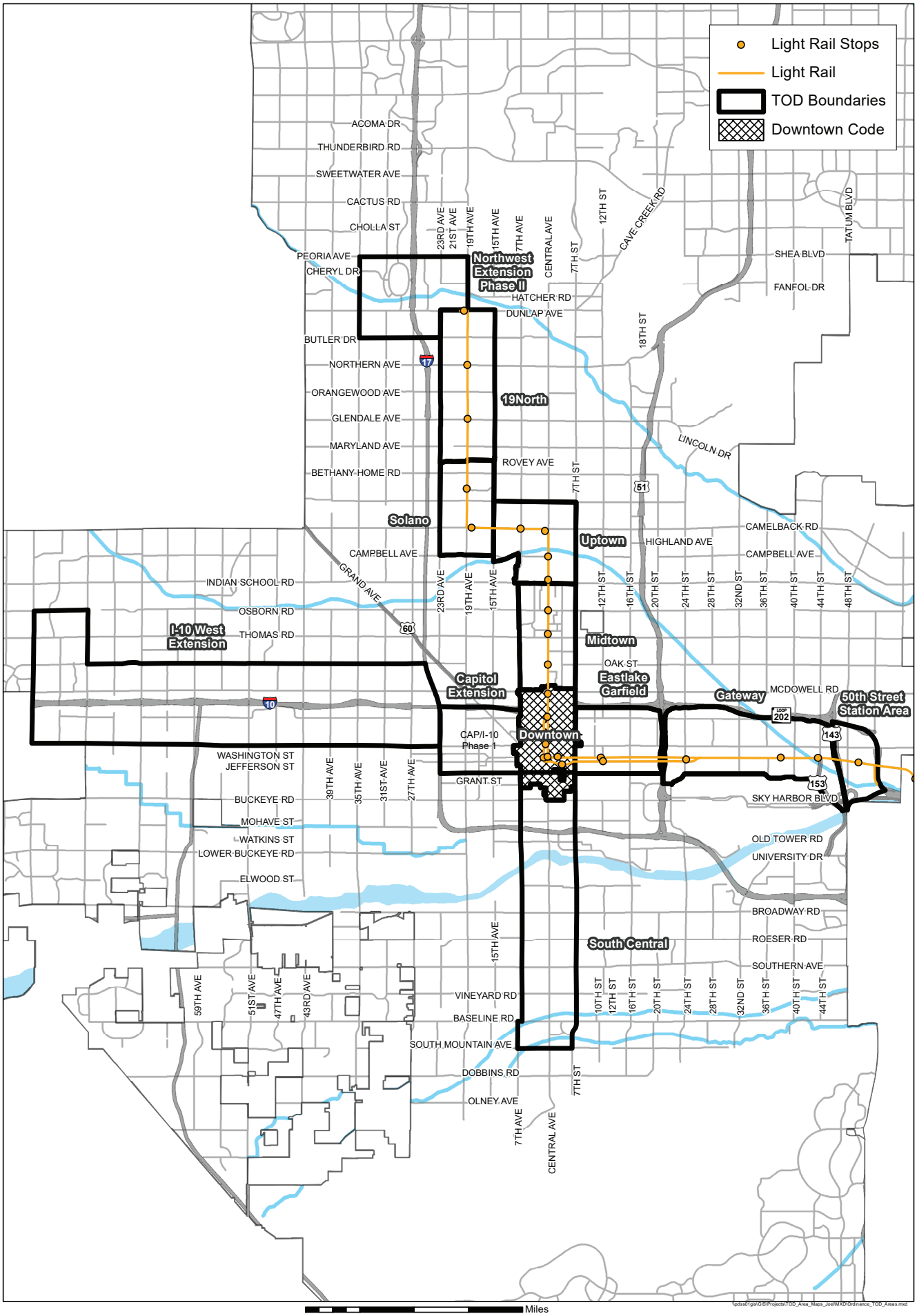


EXHIBIT C

Application No Z-TA-3-19: Amend Chapter 3, Section 309.A; Chapter 5, Sections 507.G, 507.G.1.c, and 507.G.4.c; Chapter 13, Sections 1301.B, 1301.C, 1303.A, 1304.F, 1305.A, 1306.A, 1310.A, and 1310, Table 1310.1; of the Zoning Ordinance to expand the WU-Code boundaries citywide; and amend Appendix A (Zoning Fee Schedule) of the Zoning Ordinance to include fees for WU Code.

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Village Planning Committee Summary Results

Village	Information Session		Recommendation			
	Date	Questions, Concerns	Date	Recommendation	Vote	Questions, Concerns
Ahwatukee Foothills	7/26/2021 (No quorum) 8/23/2021 (No quorum) 9/27/2021	Concerns with not having sufficient time to review the information. General questions about what this TA does. Would like to review the Addendum to this TA early.	10/25/2021	Approval with a modification to expand only to high capacity transit corridors.	6-4-1	Concerns with allowing TA citywide and concerns with allowing TA in Village Cores as the Ahwatukee Foothills Core is the most dangerous intersection in the Village. Concerns with potential pedestrian conflicts.
Alhambra	7/27/2021	Concerns that this is a density giveaway. Sensitivity regarding Christown Mall. Interest regarding details of SFA with a preference that this be a 1:1.	10/26/2021	Denial	12-3-0	Concerns with lack of outreach to community. Concerns with lack of policy on how this will be implemented. Concerns with compatibility with some established neighborhoods. Concerns with WU Code being abused by developers. Concern with eventual erosion of evaluation process to proliferate density citywide.
Camelback East	8/3/2021	No concerns at this time. Request to ensure no language regarding charter schools is included in proposed text.	10/5/2021	Denial	10-2	Not enough information, TA is vague, ambiguous, and "one-size-fits-all". Concern with WU Code being abused by developers like PUDs currently are.
Central City	7/12/2021	More explanation needed regarding how the current WU Code fees were created, and are there other parts of the WU Code that should be updated to be more current.	10/11/2021	Approval	10-3	Concern with lack of outreach to community.
Deer Valley	8/12/2021	No concerns	10/14/2021	Denial	4-3-1	Concerns that WU Code is not appropriate for properties citywide. Should be implemented on major transit corridors, BRT, Light Rail. Concerns about increased density.

11/1/2021

EXHIBIT B

Application No Z-TA-3-19: Amend Chapter 3, Section 309.A; Chapter 5, Sections 507.G, 507.G.1.c, and 507.G.4.c; Chapter 13, Sections 1301.B, 1301.C, 1303.A, 1304.F, 1305.A, 1306.A, 1310.A, and 1310, Table 1310.1; of the Zoning Ordinance to expand the WU-Code boundaries citywide; and amend Appendix A (Zoning Fee Schedule) of the Zoning Ordinance to include fees for WU Code.

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Village Planning Committee Summary Results

Village	Information Session		Recommendation			
	Date	Questions, Concerns	Date	Recommendation	Vote	Questions, Concerns
Desert View	7/13/2021 (No quorum) 8/3/2021	Concerns that WU Code (specifically frontage standards) will not be compatible with the southwestern character of the City. Concerns that WU Code is not compatible with the Desert View Village. Concerns that the City is pushing higher density. More explanation needed regarding how the TA will affect HP properties. More information required about the creation of new TOD districts. Distance to parks should be included in the analysis.	10/5/2021	Denial	6-1	Concerns that WU Code is not appropriate for properties citywide. Concerns about increased density.
Encanto	7/12/2021	Concerns that the expansion of the WU Code will draw development focus away from the light rail corridors. Concerns with the lack of design review requirements for WU Code. Concerns with how the transects will be implemented (i.e., policy basis) outside of TOD corridors.	10/4/2021	Denial	8-0	Too many unknowns. Questions regarding what policy guidance exists on which transects belong where. Concerns regarding lack of a transect map. Concerns regarding lack of public engagement.
Estrella	7/20/2021	Concerns that the expansion of the WU Code will not be compatible with some parts of the Estrella Village such as the areas far west.	10/19/2021	Denial	7-0	WU Code is not compatible with parts of Estrella Village which are not walkable. Open to reconsidering alternatives such as limiting the applicability to TOD districts and Village Cores.
Laveen	7/12/2021	Request for further information regarding implementation of WU Code and DRC process. Overall support.	10/11/2021	Approval with a modification to expand only to Villlage Cores and high capacity transit corridors.	8-0	Concern with applicability of WU Code outside of the context of transit areas.
Maryvale	7/14/2021	Concern with design standards for WU Code projects.	10/13/2021	Approval	6-2	No concerns. More information requested regarding what the WU Code is and how it will benefit Maryvale.

11/1/2021

EXHIBIT B

Application No Z-TA-3-19: Amend Chapter 3, Section 309.A; Chapter 5, Sections 507.G, 507.G.1.c, and 507.G.4.c; Chapter 13, Sections 1301.B, 1301.C, 1303.A, 1304.F, 1305.A, 1306.A, 1310.A, and 1310, Table 1310.1; of the Zoning Ordinance to expand the WU-Code boundaries citywide; and amend Appendix A (Zoning Fee Schedule) of the Zoning Ordinance to include fees for WU Code.

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Village Planning Committee Summary Results

Village	Information Session		Recommendation			
	Date	Questions, Concerns	Date	Recommendation	Vote	Questions, Concerns
North Gateway	8/12/2021	No concerns	10/14/2021	Denial	4-0	Concerns that the City has not provided WU Code transect maps. Concerns that WU Code is not appropriate citywide. Concerns that this will allow high density in residential areas. Concerns about lack of public input. Concerns that the text amendment lacks specificity.
North Mountain	7/21/2021	No concerns	10/20/2021	Approval	11-2-2	Too many unknowns. Unclear what policy guidance exists on which transects belong where. Concerns regarding lack of public engagement. Concerns regarding lack of a transect map.
Paradise Valley	7/12/2021	No concerns	10/4/2021	Approval	16-0	No concerns
Rio Vista	7/13/2021	No concerns	10/12/2021	Denial	3-2	Concerns that this would allow height where it does not belong. States that the text amendment should be accompanied by transect maps. Concerns that they would not know all conflicts between the WU Code and remaining Zoning Ordinance. Concerns that the TA is moving away from the original intent of WU Code. WU Code is not appropriate citywide.
South Mountain	7/13/2021	WU code should be focused along arterial streets. Concerns regarding WU code governing over regulatory overlay districts (e.g., BAOD, FCOD, RSIO, etc.).	10/12/2021	Denial	5-4-1	Concerns regarding potential impacts of citywide expansion. Concerns regarding lack of geographic boundaries to applicability, such as Village Cores and high-capacity transit corridors.

11/1/2021

REPORT OF PLANNING COMMISSION ACTION
January 6, 2022

ITEM NO: 19	
	DISTRICT NO.: Citywide
SUBJECT:	
Application #:	Z-TA-3-19 (Continued from 12/2/2021)
	WU Code Expansion and Fee Updates
Proposal:	Amend Chapter 3, Section 309.A; Chapter 5, Sections 507.G, 507.G.1.c, and 507.G.4.c; Chapter 13, Sections 1301.B, 1301.C, 1303.A, 1304.F, 1305.A, 1306.A, 1310.A, and 1310, Table 1310.1 of the Zoning Ordinance to expand the Walkable Urban Code boundaries citywide, including updates to clarify relevant policy plans, clarification of Walkable Urban Code process and procedure, and updating general lot standards relevant to the expansion; amend the Zoning Fee Schedule to include fees for Walkable Urban Code Transect Districts, Downtown Code-Character Area, and update fees for new processes.
Applicant:	City of Phoenix, Planning Commission
Representative:	City of Phoenix, Planning and Development Department

ACTIONS:

Staff Recommendation: Approval, per the Addendum B Staff Report.

Village Planning Committee (VPC) Recommendation:
Ahwatukee Foothills 9/27/2021 Information only.
Ahwatukee Foothills 10/25/2021 Approval, per the Addendum A Staff Report with a modification. Vote: 6-4 (1 abstained).

Alhambra 7/27/2021 Information only.
Alhambra 10/26/2021 Denial. Vote: 13-3.

Camelback East 8/3/2021 Information only.
Camelback East 10/5/2021 Denial. Vote: 10-2.

Central City 7/12/2021 Information only.
Central City 10/11/2021 Approval, per the Addendum A Staff Report. Vote: 10-3.

Deer Valley 8/12/2021 Information only.
Deer Valley 10/14/2021 Denial. Vote: 4-3 (1 abstained).

Desert View 8/3/2021 Information only.
Desert View 10/5/2021 Denial. Vote: 6-1.

Encanto 7/12/2021 Information only.
Encanto 10/4/2021 Denial. Vote: 8-0.

Estrella 7/20/2021 Information only.
Estrella 10/19/2021 Denial. Vote: 7-0.

Laveen 7/12/2021 Information only.
Laveen 10/11/2021 Approval, per the Addendum A Staff Report with a modification. Vote: 8-0.

Maryvale 7/14/2021 Information only.
Maryvale 10/13/2021 Approval, per the Addendum A Staff Report. Vote: 6-2.

North Gateway 8/12/2021 Information only.
North Gateway 10/14/2021 Denial. Vote: 4-0.

North Mountain 7/21/2021 Information only.
North Mountain 10/20/2021 Approval, per the Addendum A Staff Report.
Vote: 11-2 (2 abstained).

Paradise Valley 7/12/2021 Information only.
Paradise Valley 10/4/2021 Approval, per the Addendum A Staff Report. Vote: 16-0.

Rio Vista 7/13/2021 Information only.
Rio Vista 10/12/2021 Denial. Vote: 3-2.

South Mountain 7/13/2021 Information only.
South Mountain 10/12/2021 Denial. Vote: 5-4 (1 abstained).

Planning Commission Recommendation: Approval, per the Addendum B Staff Report.

Motion Discussion: N/A

Motion details: Commissioner Mangum made a MOTION to approve Z-TA-3-19, per the Addendum B Staff Report.

Maker: Mangum
Second: McCabe
Vote: 8-0
Absent: Shank
Opposition Present: Yes (Possibly registered in error)

Findings:

1. The expansion of WU Code applicability supports the goals of the Housing Phoenix Plan.

2. The proposal will allow for WU Code applications within approved Transit Oriented Development District boundaries as shown on the Transit Oriented Communities Map within the proposed language.

Proposed Language:

Amend Section 309.A (Design Review Committee) to read as follows:

A. **Powers and Duties.** The Design Review Committee shall have the power and duty under the provisions of these regulations to hear specific items appealed by the development review applicant contesting decisions made by the Planning and Development Department regarding the interpretation and implementation of design guidelines and architectural diversity standards, to review and approve Design Alternatives and Sustainability Bonuses for properties within the boundaries of the Downtown Code, and to

review and approve design alternatives and modification to PROPERTIES WITH ~~standards within the~~ ~~boundaries of the~~ Walkable Urban Code ZONING.

***

Amend Section 507.G (Design Alternatives and Sustainability Bonus Appeals) to read as follows:

G. **Design Alternatives and Sustainability Bonus Appeals**. A Design Alternative or Sustainability Bonus Appeal is a deviation from the prescribed standards and design guidelines. Design Alternatives and Sustainability Bonus Appeals apply to properties within the boundary of the Downtown Code, which would result in a furtherance of the goals and policies of the Downtown Phoenix Plan and the specific intent of the subject Character Area as approved by the DRC. Design Alternatives apply to properties ~~within the boundaries of the~~ WITH Walkable Urban Code ZONING, which would result in a furtherance of the goals and policies of ~~the Gateway, Eastlake-Garfield, Midtown, Uptown and Solano~~ Transit Oriented ~~District (TOD)~~ Policy Plans OR OTHER RELEVANT POLICY PLANS.

***

Amend Section 507.G.1.c to read as follows:

c. A narrative statement describing the justification for the Design Alternative and the manner in which the proposed Design Alternative would result in a furtherance of the goals and policies of the Downtown Phoenix Plan, ~~or of the Gateway, Eastlake-Garfield, Midtown, Uptown and Solano TOD~~ TRANSIT ORIENTED Policy Plans, OR OTHER RELEVANT POLICY PLANS and would satisfy the findings required for approval;

***

Amend Section 507.G.4.c to read as follows:

c. That the project demonstrates design excellence by addressing Design Alternatives that demonstrate conformance with the intent of the Walkable Urban Code as set forth in Section 1301.B and in general conformance with the policies contained within the ~~Gateway, Eastlake-Garfield, Midtown, Uptown and Solano TOD~~ TRANSIT ORIENTED Policy Plans OR OTHER RELEVANT POLICY PLANS. The modifications must meet the standards set forth in Section 1313.

***

Amend Section 1301.B (Purpose and Intent) to read as follows:

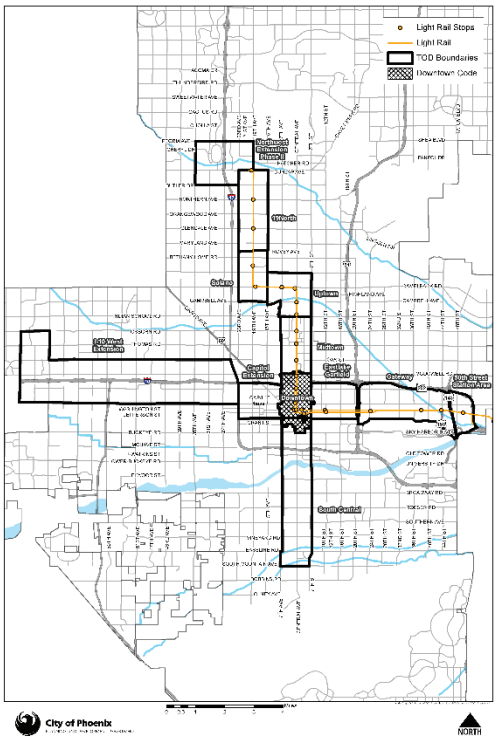
B. **Purpose and Intent.** The ~~primary~~ purposeS of this chapter ~~is~~ ARE to implement the vision and policies of ~~the~~ Transit Oriented ~~District (TOD)~~ Policy Plans ~~for Gateway, Eastlake-Garfield, Midtown, Uptown and Solano~~; encourage an appropriate mixture and density of activity ~~around transit stations~~; to increase transit ridership in general and along ~~the Central Phoenix/East Valley Light Rail Corridor in particular~~ TRANSIT CORRIDORS; ~~and~~ to promote multiple modes of transportation;~~. The secondary purpose of the Code~~ to improve pedestrian safety from crime~~,~~; to avoid or mitigate nuisances~~,~~; to promote ~~the~~ public health~~,~~; to decrease automobile-dependence~~,~~; and to mitigate the effects of congestion and pollution. These regulations seek to achieve these purposes by providing the following:

***

Amend Section 1301.C (Applicability) to read as follows:

C. **Applicability.** The Walkable Urban Code may be applied and is limited to land uses, subdivisions, and development within ~~the Reinvent PHX Transit Oriented District Policy Plans~~ APPROVED TRANSIT ORIENTED DEVELOPMENT (TOD) DISTRICT BOUNDARIES AS DEPICTED ON THE TRANSIT ORIENTED COMMUNITIES MAP ~~for Gateway, Eastlake-Garfield, Midtown, Uptown and Solano. The boundaries of these areas are shown in the District Maps located in the Transit Oriented District Policy Plans for Gateway, Eastlake-Garfield, Solano, Midtown and Uptown~~.

Transit Oriented Communities



1. ~~When in conflict, text and numerical metrics in tables shall take precedence over diagrams and illustrations.~~ WALKABLE URBAN CODE TRANSECT DISTRICTS ARE ZONING DISTRICTS AND MAY BE APPLIED FOR THROUGH THE PROCEDURES OUTLINED IN SECTION 506.B.

2. The Zoning Ordinance of the City of Phoenix applies in its entirety for properties subject to Chapter 13 except as follows:

   a. ~~If a conflict occurs between requirements of the WU Code and the City of Phoenix Zoning Ordinance, the requirements of the WU Code shall prevail.~~ PROPERTIES WITH HISTORIC PRESERVATION (HP) ZONING ARE SUBJECT TO THE PROVISIONS OF CHAPTER 8, HISTORIC PRESERVATION. IN THE EVENT OF A CONFLICT BETWEEN THE PROVISIONS OF CHAPTER 8 AND CHAPTER 13, THE PROVISIONS OF CHAPTER 8 SHALL PREVAIL.

b. ~~Properties with Historic Preservation (HP) zoning are subject to the provisions of Chapter 8, Historic Preservation. In the event of a conflict between the provisions of Chapter 8 and Chapter 13, the provisions of Chapter 8 shall prevail. IF A CONFLICT OCCURS BETWEEN REQUIREMENTS OF THE WALKABLE URBAN CODE AND THE REMAINDER OF THE CITY OF PHOENIX ZONING ORDINANCE, THE REQUIREMENTS OF THE WALKABLE URBAN CODE SHALL PREVAIL.~~ THE WALKABLE URBAN CODE DOES NOT ELIMINATE ANY OVERLAY ZONING DISTRICT, REDEVELOPMENT AREA, SPECIAL PLANNING DISTRICT, OR SPECIFIC PLAN. WHERE CONFLICTS OCCUR BETWEEN THE REQUIREMENTS OF THE WALKABLE URBAN CODE AND OVERLAY ZONING DISTRICTS, REDEVELOPMENT AREAS, SPECIAL PLANNING DISTRICTS, OR SPECIFIC PLANS, THE REQUIREMENTS OF THE OVERLAY ZONING DISTRICT, REDEVELOPMENT AREA, SPECIAL PLANNING DISTRICT, OR SPECIFIC PLAN SHALL APPLY.

C. IF A CONFLICT OCCURS BETWEEN REQUIREMENTS OF THE WALKABLE URBAN CODE AND THE REMAINDER OF THE CITY OF PHOENIX ZONING ORDINANCE, THE REQUIREMENTS OF THE WALKABLE URBAN CODE SHALL PREVAIL.

3. WHEN IN CONFLICT, TEXT AND NUMERICAL METRICS IN TABLES SHALL TAKE PRECEDENCE OVER DIAGRAMS AND ILLUSTRATIONS.

***

Amend Section 1303.A (General Lot Standards) to read as follows:

A. **General Lot Standards.**

1. ~~The single-family attached development option (SFA) is allowed in all transect districts except T3:2 and must meet sections 608.F.8 and 615, Table B.~~SUBDIVISIONS SHALL COMPLY WITH DEVELOPMENT STANDARDS PER THIS CHAPTER, INCLUDING FRONTAGE STANDARDS, FOR ALL EXISTING AND NEWLY CREATED LOTS ABUTTING PUBLIC STREETS, PRIVATE ACCESSWAYS, AND PRIVATE DRIVEWAYS, WITH THE FOLLOWING CAVEATS:

a. A DEVELOPMENT MAY INSTEAD UTILIZE THE SINGLE-FAMILY ATTACHED DEVELOPMENT OPTION STANDARDS PER SECTION 608.F.8 AND SECTION 614, TABLE B, COLUMN D (EXCEPT FOR THE DENSITY, WHICH IS NOT RESTRICTED) IF IT MEETS ALL THREE OF THE FOLLOWING CONDITIONS:

(1) THE DEVELOPMENT CONSISTS SOLELY OF ATTACHED DWELLING UNITS AND ALLOWABLE ACCESSORY USES;

(2) THE DEVELOPMENT IS LOCATED WITHIN THE APPLICABLE AREA FOR THE SINGLE-FAMILY ATTACHED DEVELOPMENT OPTION OR THE INFILL DEVELOPMENT DISTRICT AS DEPICTED ON THE MAP PROVIDED IN SECTION 608.F.8; AND

(3) THE DEVELOPMENT IS LOCATED IN ANY TRANSECT OTHER THAN T3.

b. ALL SUBDIVISIONS MUST COMPLY WITH THE REQUIREMENTS OF THE SUBDIVISION ORDINANCE (CHAPTER 32 OF THE CITY CODE), AS MAY BE

MODIFIED BY THE SUBDIVISION COMMITTEE TO FURTHER THE GOALS OF THE WALKABLE URBAN CODE.

2. ~~Development in T4, T5 and T6 shall follow the same setback and stepback standards as the single-family attached development option. If development is adjacent to a single-family zoning district (Sections 611, 613) or historic preservation designated property or district the following additional requirements shall apply:~~ ALL DEVELOPMENTS ADJACENT TO SINGLE-FAMILY ZONING DISTRICTS SHALL FOLLOW THE SAME SETBACK AND STEPBACK STANDARDS AS THE SINGLE-FAMILY ATTACHED DEVELOPMENT OPTION (SECTION 614, TABLE B, COLUMN D); WITH ADDITIONAL REQUIREMENTS AS FOLLOWS:

   a. ~~Minimum ten-foot landscape setback, except for single-family detached dwellings.~~ STEPBACK PROVISION SHALL NOT EXCEED MAXIMUM 75-FOOT SETBACK FROM REAR AND SIDE PROPERTY LINES FOR BUILDING HEIGHT BEFORE MAXIMUM HEIGHT ALLOWED.

   b. ~~Stepback provision shall not exceed maximum 75-foot setback from rear and side property lines for building height before maximum height allowed.~~ FOR ALL DEVELOPMENT ABUTTING A HISTORIC PRESERVATION DESIGNATED PROPERTY OR DISTRICT, A MINIMUM TEN-FOOT LANDSCAPE SETBACK SHALL BE PROVIDED.

   c. NO STEPBACK PROVISIONS OR LANDSCAPE SETBACKS ARE REQUIRED WHERE THE DEVELOPMENT ABUTS A PERMANENT OPEN SPACE AT LEAST 40 FEET IN DEPTH, SUCH AS A WASH, PRESERVE, PARK, EXISTING GOLF COURSE, OR DEDICATED OPEN SPACE.

***

6. **~~Primary~~ Frontages**. Lot lines abutting a right-of-way, PRIVATE ACCESSWAY, OR PRIVATE DRIVEWAY are designated as primary frontage lineS or secondary frontage lineS as follows:

   a. For lots abutting a right-of-way, PRIVATE ACCESSWAY, OR PRIVATE DRIVEWAY along a single lot line, the abutting lot line is designated the primary frontage.

   b. For lots abutting MULTIPLE rights-of-way, PRIVATE ACCESSWAYS, OR PRIVATE DRIVEWAYS ~~along multiple streets right-of-way~~, primary frontage is designated by the Planning and Development Department, AND all remaining frontages are designated secondary frontages.

***

Amend Section 1304.F.2 (Building and Shade) to read as follows:

2. Developments should include shading along their entire ~~right-of-way~~ frontage, excluding driveways, loading, and service berths.

***

Amend Section 1305.A (Applicability) to read as follows:

A. **Applicability**. Standards and frontage types in this section regulate the area between the property line and the front facade of a building in order to support an urban, pedestrian and transit oriented environment ~~within the boundaries of the WU Code~~.

***

Amend Section 1306.A (Applicability) to read as follows:

A. **Applicability**. The Land Use Matrix in Table 1306.1 shall apply to all PROPERTIES WITH WALKABLE URBAN CODE ZONING ~~land uses within the WU Code boundaries~~.

***

Amend Section 1306.H.1.b to read as follows:

b. Allowed with use permit if property outside the areas noted above ~~but within the Transit District Policy Plans for Gateway, Eastlake-Garfield, Midtown, Uptown and Solano~~.

***

Amend Section 1310.A (Open Space Guidelines) to read as follows:

A. **Open Space Guidelines**

1. Parcels zoned T3 are exempt from required public OPEN space improvements.

2. Open space requirements for ~~commercial, nonresidential and mixed-use development~~ DEVELOPMENTS WITHIN THE T4, T5, AND T6 TRANSECTS ARE as follows:

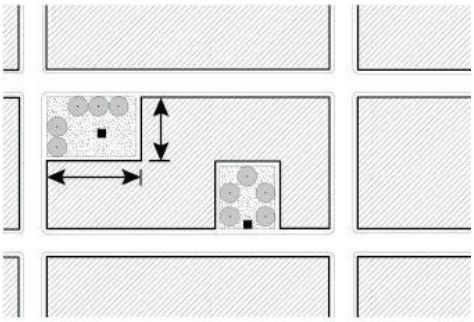
   a. For sites of one gross acre or larger, minimum open space of at least five percent of the gross ~~lot~~ SITE area shall be required. FOR DEVELOPMENTS UTILIZING THE SINGLE-FAMILY ATTACHED DEVELOPMENT OPTION STANDARDS IN ACCORDANCE WITH SECTION 1303.A.1.A, OPEN SPACE SHALL BE PROVIDED AS REQUIRED BY SECTION 614, TABLE B, COLUMN D, REGARDLESS OF LOT SIZE.

***

Amend Section 1310, Table 1310.1 (Public Space Type Guidelines) to read as follows:

Table 1310.1 Public OPEN Space Type Guidelines

PUBLIC OPEN SPACES	
Transect Zone	T4, T5, T6
Size	Five percent of the gross site area above one acre. *
Edge Condition	One side minimum fronting a thoroughfare or pedestrian way.
Surface	Paved and landscaped.
Shade and Landscaping	50 percent shade provided by trees. Ground cover and shrubs: Should be provided in areas with no pavement or structures.



*SINGLE-FAMILY ATTACHED DEVELOPMENTS MUST PROVIDE OPEN SPACE AS REQUIRED PER SECTION 1310.A.2.A.

***

Amend Section 1311.A.1 (General Considerations) to read as follows:

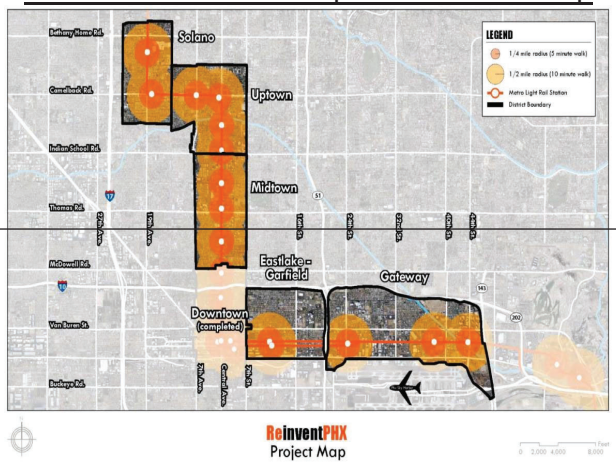
c. Walking and bicycling should be encouraged ~~within the Gateway, Eastlake-Garfield, Midtown, Uptown and Solano Districts~~, particularly in support of transit services, TRANSIT ORIENTED POLICY PLANS, AND OTHER RELEVANT POLICY PLANS:

***

Amend Section 1313.D.3.a to remove the map and read as follows:

a. An approval from the DRC shall be included on the final site plan.

~~Transit Oriented Development Districts Map~~



***

Amend Appendix A (Zoning Fee Schedule) to read as follows and renumber accordingly:

1 [Fee schedules].
A. Applications for zoning amendments, hillside density waivers, written certification of zoning, promotional event permits, and specific plans shall be accompanied by appropriate fees as determined from the following schedule:

1. *Fees.*

***

7. REZONING TO WALKABLE URBAN (WU) CODE

A.	T3:2, T4:2, AND T4:3	$2,655.00 PLUS $210.00 PER ACRE OR PORTION THEREOF
B.	T5:2, T5:3, T5:5, T5:6, T5:7, AND T6:7	$3,910.00 PLUS $415.00 PER ACRE UP TO 40 ACRES, $210.00 FOR MORE THAN 40 ACRES UP TO 100 ACRES, AND $70.00 PER

			ACRE FOR MORE THAN 100 ACRES
	C.	T6:15 AND T6:22	$8,610.00 PLUS $830.00 PER ACRE OR PORTION THEREOF
	D.	T6:HWR	IF PART OF THE ORIGINAL ZONING REQUEST, NO ADDITIONAL FEE. IF A SEPARATE REQUEST, 30% OF THE T6:15 OR T6:22 FILING FEE APPLICABLE TO THE PROPERTY.

***

21.	ADMINISTRATIVE TEMPORARY USE PERMIT	$135.00

***

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 495-5622, TTY use 7-1-1.

David O Simmons

From: Bramley Paulin <bramleypaulin@cox.net>
Sent: Wednesday, October 6, 2021 8:45 PM
To: PDD Paradise Valley VPC
Subject: Z-TA-3-19 Walkable Urban (WU) Code - RECONSIDERATION VOTE

Good evening Paradise Valley Village Planning Committee Members

I am asking the PV committee members for a reconsideration vote from the October 4, 2021, Item #3 Z-TA-3-19 Walkable Urban (WU) Code.

The presentation details did not address the negative impacts and ramification to existing neighborhoods.
This Text Amendment (TA) will promote bad high density residential development that will undoubtedly have a negative effect on existing detached residential neighborhoods.
The impacts of the WU Code expansion will adversely change the character of existing neighborhoods with increased vehicular traffic and increase building height.

The original WU Code was specifically designed for properties within close proximity to light rail by reducing vehicle use and creating urban density within walking distance to transit stations.

Of the four villages that have heard this TA to date, PV is the only committee to support the amendment. Both Encanto and East Camelback villages, who have light rail transit within their boundaries and work with the WU Code on a regular basis, voted overwhelmingly to deny the expansion of the WU Code city-wide.

I therefore, respectfully ask that one or more committee members who voted in favor of the TA, submit a written request to the committee planner Mr. Simmons, within the next 48-hours, asking for a reconsider vote to take place at the next committee meeting.

With Appreciation,
Bramley Paulin
(602) 918-2998

VISION
Every Arizonan has a safe, affordable place to call home.
MISSION
The Arizona Housing Coalition (AZHC) is a collaborative association that leads in the efforts to end homelessness and provide safe, affordable housing to all Arizonans.

Arizona Housing Coalition
Speaking Up for Home and Hope

Speaking Up for Home and Hope

City of Phoenix
Phoenix City Hall
200 W Washington Street
Phoenix, Arizona 85003

November 1st, 2021

Dear Mayor Gallego and Council Members,

On behalf of the Arizona Housing Coalition and our members, I am writing in regard to item #21, Z-TA-3-19, the expansion of the Walkable Urban Code, that will be heard at the planning commission at 6pm on Thursday, November 4 2021.

The expansion of the Walkable Urban Code is a critical component of the Housing Phoenix Plan, which was adopted by council in summer of 2020. Since the adoption of this plan, the affordable housing crisis in the city has deepened. Rents have increased by 28% in the last year and are approaching the most expensive in the county. The housing crisis in Phoenix is considered at breaking point with high occupancy rates and the fewest available units in 50 years. The number of households experiencing homelessness in Maricopa County has risen significantly between April 2020 to August 2021 and our homeless services are in huge demand. Finding units for low income households has become incredibly difficult in the city, resulting in these increases in homelessness, including a significant spike in elderly homelessness.

Restricting housing to single family detached forces rents and home prices to rise. This historical zoning practice also creates segregated neighborhoods. The expansion of the Walkable Urban Code is a critical tool to address barriers to increasing affordable housing in the city of Phoenix by allowing greater density and addressing the missing middle of development. The ability to build duplexes, triplexes and fourplexes will allow an increase in density that does not compromise the landscape of the city. Allowing diverse housing options, the code will allow the 15 villages to accomplish their goals of creating mixed-use, walkable urban cores.

Considering the extent of the growing housing crisis in the city of Phoenix, it is essential that the tools and practices passed in the Housing Phoenix Plan are adopted. We therefore strongly support the expansion of the Walkable Urban Code.

Sincerely,

Joanna Carr
Director of Research and Policy
The Arizona Housing Coalition

Re: Z-TA-3-19 expanding the Walkable Urban Code

Dear Members of the Encanto Village:

As a person who gave up their car over 5 years ago and depends on public transit and her feet to get around Phoenix, whenever I see codes or language of codes that refer to an area being "walkable," I laugh. Why? Because I strongly suspect that the person/people who write such codes have book learning, but little practical experience in walking.

I also wonder/question, who are these codes going to help? Me the pedestrian???? While that might have been the original intention, the end result and my conclusion is NO, it is not really for my benefit as a pedestrian. To be really cynical, it appears that this code is more for a developer's purpose and making the city appear to care about pedestrians.

In fact, often the recommendations are antithetical to a pedestrian feeling the area is "walkable." What do I mean by that?

1. Walkable should mean safe. Safe from speeding cars and safe from bicycles (which in my opinion do NOT BELONG ON SIDEWALKS).
2. So a reasonable barrier of at least two feet should be mandated between the sidewalk and the street.
3. BUT, so many of the new multi-housing tracts going up are rather close to the sidewalk and provide a "looming" feel. One expects buildings to be up to the sidewalk when they are department stores and office buildings such as we find downtown. But I prefer having space between me and a residential high-rise and I wonder if the residents appreciate pedestrians being that close.
4. And what do so many people address when focusing on something being walkable??? Of course, it's shade. Despite the city's desire to have more shade, it continues to fail miserably. It's difficult to know why that happens.
5. I recall reading a number of years ago reading about buildings needing to provide 75% shade at the summer solstice. Sounds great doesn't it? But the summer solstice is in June and our hottest months are July, August, September (and sometimes even into October). Wouldn't you think that 75% shade coverage should include those months too?
6. How do we achieve shade for the walkable environment? First we must understand the sun's path especially during the hottest months. East/west running streets are trickier to handle, but north/south are easier. (By the way, a clear example of the problem is looking at the Light Rail Stops….shade. HA!) But we pedestrians beg for shade all day during those blisteringly hot months so trees need to be placed on both sides of the sidewalk to form a canopy (and please no thinning them during the summer months). That defeats the entire purpose of having trees. And for those who do not know me, I don't leave home without my large personal shade structure better known as an umbrella.
7. While it is not part of the WU Code, my safety should include crossing the street. Recently I was nearly hit twice in the same section of a crosswalk within less than 10 seconds by drivers who did not care that they were breaking the law and certainly did not care that I was a potential impediment to them making their respective right and left hand turns. The intersection was none other than 7th Street & McDowell Road. It is scary out there.

Rather than continue going over the current issues/failings of the basic WU Code, I would hope you as a recommending body would suggest that the city (planning department) re-examine my points and call in some pedestrians to discuss these issues and how they can be rectified before expanding the areas of the city that WU Code will cover. We could have a win-win situation and Phoenix could be seen as a national leader in the implementation of an excellent Walkable Urban Code.

After working and living downtown for over 20 years, I know which streets have the most shade for pedestrians (shade for cars does not count) and which side of the street I should walk on depending on the direction and the time of day. I'd be more than happy to give you some tips.

A concerned citizen who knows we can do better.

Donna Reiner, PhD
2501 N 8th St.
Phoenix, AZ 85006-1049

November 19, 2021

Alan Stephenson
Director, Planning and Development Department
City of Phoenix
200 W. Washington St.
Phoenix, AZ 85003

RE: Position on Z-TA-3-19 Walkable Urban Code Expansion

Dear Mr. Stephenson:

The Downtown Voices Coalition Steering Committee supports allowing parcels to be rezoned to Walkable Urban Code in the locations outlined below. Downtown Voices is currently neutral on all other city-wide expansions of Walkable Urban Code.

- **Light Rail:** Within 1/2 mile of all current and future designated light rail lines
- **Bus Rapid Transit (BRT):** Within 1/2 mile of all current and future designated BRT lines
- **Village Cores:** Within the primary and secondary Village Cores as designated on the General Plan Map
- **Canals:** Directly adjacent to the City canal system with the canal designated as an active frontage
- **Rio Salado:** Within the bounds of the Rio Salado Overlay District. Where applicable, a designated public setback and active river frontage shall also be required. Encouragement to extend this corridor east with consideration for Phoenix Sky Harbor International Airport operations.

Thank you for your consideration. If you have any questions, please do not hesitate to contact me.

Sincerely yours,

Jeff Sherman
Steering Committee Chair
jeff.sherman@downtownvoices.org

cc: The Honorable Kate Gallego, Mayor
Phoenix City Council Members
DVC Steering Committee Members

Racelle Escolar

From: Ryan Boyd <ryanandrewboyd1@gmail.com>
Sent: Wednesday, January 5, 2022 4:09 PM
To: PDD Planning Commission
Subject: Request to Speak & Comments Item #19 Planning Commission Z-TA-3-19
Attachments: Proposed WU Code T3-2 Applicability Language.docx; UPP Supports Vision Zero Fact Sheet.pdf

Good afternoon Planning Commission Staff,

I am writing to request to speak in support of item #19, Z-TA-3-19, at the Planning Commission on 01/06/2022. Additionally, I'd like to submit the following written comments:

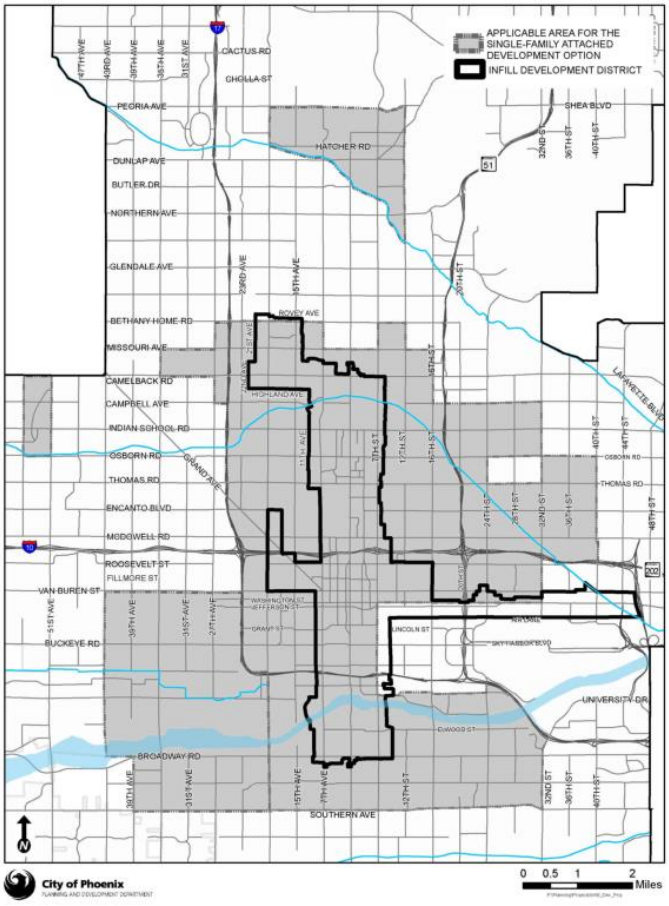
Honorable Planning Commissioners, **I ask that you approve Z-TA-3-19 but with a slight amendment that would allow the T3:2 transect district to be available for property owners to apply to anywhere within the City of Phoenix**.

The WU Code is very much a necessity along the transit-oriented development districts and I doubt you will hear much opposition about offering it as an option in the areas in addendum B. Frankly, transit-oriented development should be expanded to incorporate the bus rapid transit lines as well as the light rail as high-capacity transit allows denser living and supports transit. We often find ourselves in a catch-22 in which individuals tell us we can't build quality public transit because there aren't enough people nearby, and yet we legally restrict the amount of housing that we can build because it would cause too much traffic without quality public transit. **Expanding the WU Code applicability around high-capacity transit is common sense and the proposal in addendum B is the least the City of Phoenix can do.**

However, the City of Phoenix has a larger housing problem that this text amendment originally sought to address. Phoenix continues to be one of the fastest growing cities and the Housing Phoenix Plan noted we are underproducing housing units to the tune of a gap of 163,067 units. If we were to attempt to build these units with single-family detached housing it would require 31,613 acres of land, but the City of Phoenix only has 24,928 acres of vacant land. **Phoenix would need 7,315 acres more of vacant land and to build only single-family detached housing to meet this gap, simply put you can not build enough low-density housing to meet the need.**

The Housing Plan recognized that and noted that we should expand the Walkable Urban Code among other tools to allow further housing options and diversity. **Many types of housing are illegal under the current zoning code.**

Would you like to build townhouses or a duplex? The single-family attached option is only legal in central Phoenix on this map from ZO 608.F.8.



Would you like to build a triplex or a fourplex? Those do not appear to be allowed in the R1-06 and lower density zoning districts. They are also subject to commercial permitting making them harder to build.
Would you like to build an 8-unit apartment complex? To rezone to a district that allows it also allows much larger project in R-5 and R-3. If you can build a much bigger project, why stop at just 8 units if it is going to cost you the same amount to rezone the property?

Phoenix lacks middle housing zoning. R1-06 [phoenix.municipal.codes], one of the most common single-family zoning districts and one of the densest has a dwelling limit of 5 units per acre or for comparison purposes 10 units per 2 acres. That's less dense than several older Phoenix neighborhoods. There are 10 units on 1.8 acres in Encanto and 10 units on 1.5 acres in Oakland neighborhood. R-2 [phoenix.municipal.codes], a rarer multifamily zoning allows 20 units on the same 2 acres but still restricts the attached housing option to the above map. **Phoenix does not have a district in between these.**

WU Code T3:2 is a logical in-between district that should be available for Phoenix neighborhoods to discuss using. **ZO-1302 [phoenix.municipal.codes] and ZO-1303 [phoenix.municipal.codes] describe this low-intensity district and it is the same as R1-06 except that it allows single-family attached, duplexes, live-work, day care, accessory dwelling units, professional offices and interim vacant lot uses.** WU Code T3:2 has the same height limitation as R1-06 and same mandatory minimum parking outside of the light rail districts and slightly less restrictive lot coverage requirements.

If Phoenix is to stand any chance of meeting that housing gap of 163,067 units, we must legalize more housing options to be built in Phoenix. Is this a silver bullet? No, but we can't even begin talking about addressing the affordability crisis unless there are actual housing units available for people.

Let's plan and build our communities with a variety of options for denser development. If we don't, people are going to be forced to make tough decisions and these single-family detached neighborhoods might see multiple families living in one house creating the very problems they fear from multi-family development.

Please vote to approve Z-TA-3-19 addendum B <u>WITH an amendment to allow WU Code T3:2 be requested anywhere in the City</u>. Language is in the attachment.

Please let me know if you have any questions or requests for data. I intend to speak at the 01/06/2022 Planning Commission to bring up these points.

Thank you for your time,

Ryan Boyd

Mobile: 602-799-4478

Interim President, Urban Phoenix Project [urbanphoenixproject.org]



Amend Section 1301.C (Applicability) to read as follows:

C. Applicability. The Walkable Urban Code may be applied and is limited to land uses, subdivisions, and development within ~~the Reinvent PHX Transit Oriented District Policy Plans~~ **APPROVED TRANSIT ORIENTED DEVELOPMENT (TOD) DISTRICT BOUNDARIES AS DEPICTED ON THE TRANSIT ORIENTED COMMUNITIES MAP** ~~for Gateway, Eastlake-Garfield, Midtown, Uptown and Solano. The boundaries of these areas are shown in the District Maps located in the Transit Oriented District Policy Plans for Gateway, Eastlake-Garfield, Solano, Midtown and Uptown.~~ **TRANSECT DISTRICT T3:2 IS APPLICABLE ANYWHERE WITHIN THE CITY OF PHOENIX AND MAY BE APPLIED FOR THROUGH THE PROCEDURES OUTLINED IN SECTION 506.B.**



Urban Phoenix Project

SUPPORTS

Vision Zero in the Roadway Safety Action Plan

Item #10 - TIP Subcommittee

Why Vision Zero?

- Phoenix has disproportionately more collisions with pedestrians AND bicyclists than the region. Pop.: 36% of Region. Ped. Crashes: 63%. Bike Crashes: 43%.
- Phoenix has not reduced fatalities and significant injuries in a measurable manner. Action is needed from the perspective of saving lives.

Vision Zero is:

- A new way to look at our roads. Instead of assuming accidents do not happen, Vision Zero accepts that humans are fallible and designs streets so those accidents don't turn fatal.
- Data-driven. We look at internal data, best practices from across the globe and consults the community before recommendations are made.
- Widely-adopted. Adopting jurisdictions include neighboring urban Tempe, Southwestern peer Albuquerque, East Coast New York City and even the State of North Dakota.

Vision Zero is NOT:

- One-size-fits-all. Actions and plans remain individualized for neighborhoods and streets. The goal is simply to reduce fatalities to zero in all of these areas.
- A citywide reduction of speed limits. Council makes those decisions separately and individually. Tempe did not set all of its speed limits to 25 mph.
- A silver bullet. We know that there will still be fatalities on the road system, but we should actually try to fix this issue.
- Anti-motorist. Drivers get killed too in these crashes. Safer streets mean EVERYONE makes it home.

For more information, contact Ryan Boyd at RyanAndrewBoyd1@gmail.com.



Urban Phoenix Project

SUPPORTS

Vision Zero in the Roadway Safety Action Plan

Item #10 - TIP Subcommittee

What is worth more: one minute on your commute or a life?

- Vision Zero is not pro-congestion and tactics do not seek to lessen the number of drivers. The goal is to make sure EVERYONE lives.
- As an example, a 5-mile trip at a constant speed takes only 48 seconds more if you drove 40 mph rather than 45 mph. Congestion is a result of delay, not speed. You can see this when people "race to red lights."

What can we do?

- Work across disciplines. Vision Zero engages a multidiscipline approach. It brings all stakeholders to the table including public health, land use, development, engineering, and more.
- There are many tools that work within a Vision Zero framework. For an example, give pedestrians preference crossing compared to motorists making turns. Turning is a major conflict area where if someone makes a mistake, a pedestrian dies. Give the pedestrian time to cross the street before the motorists attempt to make a turn.
- Provide protection by separating bicyclists and pedestrians from high speed traffic. Broken bollards are a lot easier to replace than broken bones. Raised crosswalks, cycle tracks and traditional buffered and protected bike lanes are all options.
- Make sure everything we do is from a lens of equity. Vision Zero emphasizes that all steps from research through implementation include and center our diverse communities in the mission of saving lives.
- **ADOPT VISION ZERO NOW. Let's not waste any more time. ALL road decisions should be centered around safe transportation.**

For more information, contact Ryan Boyd at RyanAndrewBoyd1@gmail.com.

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 74

Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-59-21-2 - Southwest Corner of the 29th Avenue and Bronco Butte Trail Alignments (Ordinance G-6957)

Request to hold a public hearing on a proposal to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-59-21-2 and rezone the site from PCD NBCOD (Planned Community District, North Black Canyon Overlay District) approved C-2 or CP M-R PCD NBCOD (approved Intermediate Commercial or Commerce Park District, Mid-Rise, Planned Community District, North Black Canyon Overlay District) to C-2 NBCOD (Intermediate Commercial District, North Black Canyon Overlay District) to remove the PCD designation and allow multifamily residential.

Summary

Current Zoning: PCD NBCOD (Approved C-2 or CP M-R PCD NBCOD)
Proposed Zoning: C-2 NBCOD
Acreage: 31.97 acres
Proposed Use: Multifamily residential

Owner: David McHenry & Mary Jane Trust
Applicant: Alan Beaudoin, Norris Design
Representative: Shelby Duplessis, EMC Management, LLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The North Gateway Village Planning Committee heard this case on Nov. 4, 2021 and recommended denial by a vote of 4-1.
VPC Action: The North Gateway Village Planning Committee reconsidered this case on Jan. 13, 2022 and recommended approval, by a vote of 2-1.
PC Action: The Planning Commission heard this case on Dec. 2, 2021 and recommended approval, per the staff recommendation, with an additional stipulation, and remanded the case back to the North Gateway Village Planning Committee for reconsideration by a vote of 7-2.

Location

Southwest corner of the 29th Avenue and Bronco Butte Trail alignments.

Council District: 2
Parcel Address: N/A

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-59-21-2) FROM PCD NBCOD, APPROVED C-2 OR CP M-R PCD NBCOD (PLANNED COMMUNITY DISTRICT, NORTH BLACK CANYON OVERLAY DISTRICT, APPROVED INTERMEDIATE COMMERCIAL OR COMMERCE PARK, MID-RISE, PLANNED COMMUNITY DISTRICT, NORTH BLACK CANYON OVERLAY DISTRICT) TO C-2 NBCOD (INTERMEDIATE COMMERCIAL, NORTH BLACK CANYON OVERLAY DISTRICT).

_____

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

SECTION 1. The zoning of a 31.97-acre site located at the southwest corner of the 29th Avenue and Bronco Butte Trail alignments in a portion of Section 14, Township 5 North, Range 2 East, as described more specifically in Exhibit “A”, is hereby changed from “PCD NBCOD (Approved C-2 or CP M-R PCD NBCOD” (Planned Community District, North Black Canyon Overlay District, approved Intermediate Commercial or Commerce Park, Mid-Rise, Planned Community District, North Black

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Canyon Overlay District) to “C-2 NBCOD” (Intermediate Commercial, North Black Canyon Overlay District).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit “B”.

SECTION 3. Due to the site’s specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. The development shall be limited to a maximum of 354 dwelling units.

2. A minimum 25-foot-wide landscape setback shall be provided along the 29th Avenue frontage, as approved by the Planning and Development Department.

3. The development shall provide a minimum landscape setback of 10 feet between the shared use path along Skunk Creek Wash and any fencing on the west side of the site, as approved by the Planning and Development Department.

4. Open space areas shall be distributed throughout the development, with a minimum of one central amenity area provided within close proximity to the Paseo Del Prado, as approved by the Planning and Development Department.

5. The architectural features and/or materials shown on the front elevation date stamped August 27, 2021 shall be applied to all sides of the building, as approved by the Planning and Development Department.

6. All buildings, wall colors and materials shall be in compliance with the North Black Canyon Overlay District with specific regard to colors being muted and blending with, rather than contrasting strongly, the surrounding desert environment, as approved by the Planning and Development Department.

7. The development shall provide a minimum of 3 access points, with minor amenities and shaded to a minimum of 75 percent, connecting to the Skunk Creek Wash shared use path along the western portion of the site, as approved by the Planning and Development Department.

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8. The east-west pedestrian connection (Paseo del Prado) shall be provided in accordance with the North Gateway Core Plan, as modified by the following stipulations and approved by the Planning and Development Department:

    a. The Paseo del Prado shall align with any existing easements and continue through the entirety of the site from east to west.

    b. A public pedestrian access easement of 20 feet shall be dedicated for the pedestrian connection (Paseo del Prado). Of the 20 feet, 12 feet shall remain completely free of any pedestrian impediments, including benches. The remaining 8 feet may be used for pedestrian friendly uses, such as benches

    c. A minimum of 75 percent of the 20-foot pedestrian access easement for the Paseo del Prado shall be shaded by a structure, landscaping, or a combination of the two.

    d. The site shall be designed in such a manner that the building placement creates an alignment and synergy for the Paseo del Prado. This can be achieved by placing uses such as outdoor amenity areas, outdoor seating, and points of architectural interest along the pedestrian path.

9. A minimum 10-foot shared use path (SUP) shall be constructed within a 25-foot-wide public trail easement (PTE) along the east side of Skunk Creek Wash per Section 429 of the City of Phoenix MAG Supplement, as approved by the Planning and Development Department.

10. Pedestrian pathways, including public sidewalks, shall be shaded a minimum of 75 percent by a structural and/or vegetative shade, as approved by the Planning and Development Department.

11. Where pedestrian pathways cross drive aisles, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave parking surfaces and drive aisles, as approved by the Planning and Development Department.

12. Pedestrian pathways shall connect building entrances, public sidewalks, and community amenities, using the most direct route for pedestrians, as approved by the Planning and Development Department.

13. A minimum 5-foot-wide sidewalk shall be provided along all streets and be detached with a minimum 10-foot-wide landscaped strip located between the sidewalk and back of curb and shall include minimum 2-inch caliper shade trees planted a minimum of 20 feet on center or in equivalent groupings along both sides of the sidewalk, as approved by the Planning and Development Department.

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14. The developer shall provide secured bicycle parking per Section 1307 of the City of Phoenix Zoning Ordinance. In addition, a minimum of 34 inverted U-bicycle parking stalls shall be provided for guests located near the clubhouse or distributed throughout the site and installed per the requirements of Section 1307.H of the Zoning Ordinance, as approved by the Planning and Development Department.

15. The applicant shall submit a Traffic Impact Study to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. The developer shall be responsible for traffic signal funding and/or escrow contribution as determined by the approved Traffic Impact Study.

16. The developer shall dedicate and construct right-of-way to connect to two separate existing public street, as approved by the Street Transportation Department.

17. The developer shall dedicate and construct the west half of 29th Avenue, as required by the Traffic Impact Study and as approved by the Street Transportation Department.

18. The developer shall provide traffic signal conduit and junction boxes at the southwest corner of 29th Avenue and Bronco Butte Trail and deposit a 25% escrow contribution for the future traffic signal prior to preliminary site plan approval, as approved by the Street Transportation Department.

19. The developer shall provide site access to the future identified signalized intersection of 29th Avenue and Bronco Butte Trail. A cross access easement shall be provided to APN 204-11-002E for joint use of the signalized intersection. Connection shall be reviewed and approved by the Street Transportation Department prior to preliminary site plan approval.

20. All access control placement and spacing shall be in compliance with the Street Planning and Design Guidelines and shall coordinate to align with access on the east side of 29th Avenue, as approved by the Street Transportation Department.

21. The developer shall provide $50,000 in escrow to fund a traffic control device for a pedestrian crossing at the intersection of 29th Avenue and the paseo trail path, as depicted on the site plan date stamped September 14, 2021, and to fund a raised median island for pedestrian refuge along 29th Avenue, prior to preliminary site plan approval and as approved by the Street Transportation Department.

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22. The developer shall provide a shaded amenity area for pedestrians at the intersection of 29th Avenue and the paseo trail path, as depicted on the site plan date stamped September 14, 2021, and as approved by the Planning and Development Department.

23. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

24. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeology survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

25. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determine such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

26. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

27. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 2nd day of February, 2022.

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_____
MAYOR

ATTEST:

_____
Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:
_____
_____

REVIEWED BY:

_____
Jeffrey Barton, City Manager

Exhibits:
A – Legal Description (2 Pages)
B – Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-59-21-2:

A portion of land situated within the Southeast Quarter of Section 14, Township 5 North, Range 2 East of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at a found ½ inch rebar with cap RLS 21081 accepted as the center of said Section 14 from which a 3-inch City of Phoenix brass cap flush accepted as the South quarter corner thereof bears South 00°21’59” East, 2645.55 feet;

Thence North 89°32’56” East, 298.82 feet along the north line of the Southeast quarter of said Section 14 to the POINT OF BEGINNING;

Thence continuing along said north line, North 89°32'56" East, 1020.89 feet;

Thence leaving said north line, South 00°22'06" East, 1323.84 feet along the east line of the Northwest quarter of the Southeast quarter of Section 14;

Thence leaving said east line, South 89°35'43" West, 955.65 feet along the south line of the Northwest quarter of the Southeast quarter of section 14;

Thence leaving said south line, North 27°14'19" West, 112.72 feet;

Thence North 23°38'35" West, 162.73 feet;

Thence North 12°33'41" West, 85.94 feet;

Thence North 10°17'39" West, 260.38 feet;

Thence North 00°00'00" West, 74.56 feet;

Thence North 26°10'19" East, 138.87 feet;

Thence North 22°17'03" East, 110.76 feet;

Thence North 01°31'03" West, 177.09 feet;

Thence North 02°41'57" West, 104.14 feet;

Thence North 02°41'55" West, 10.10 feet;

Thence North 06°07'50" East, 131.19 feet;

Thence North 06°32'08" East, 9.98 feet to the POINT OF BEGINNING.

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The above described parcel contains a computed area of 1,403,867 sq. ft. (32.2284 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

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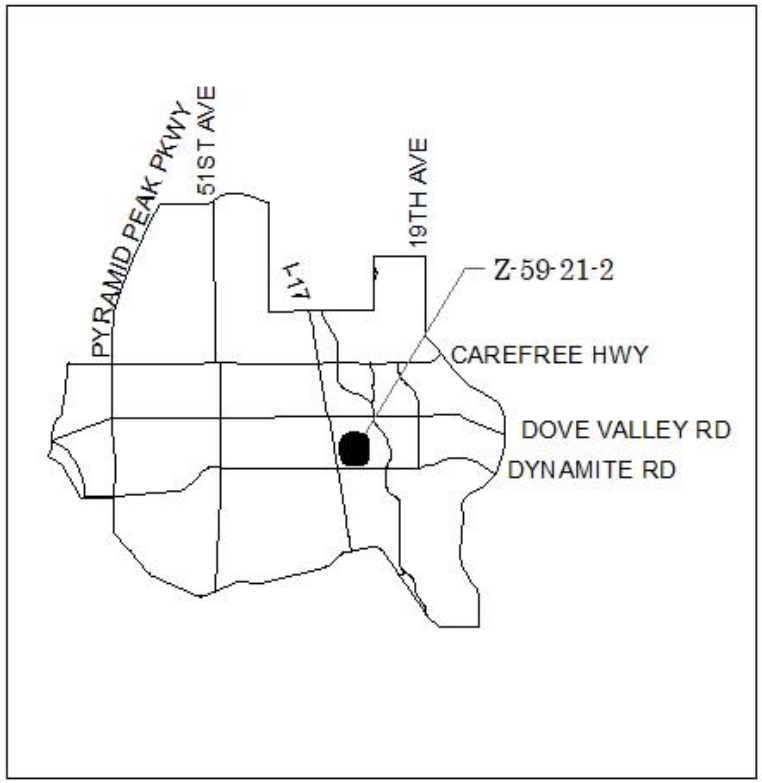
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-59-21-2
Zoning Overlay: North Black Canyon Corridor Plan & Overlay District
Planning Village: North Gateway





NOT TO SCALE

N

Drawn Date: 12/7/2021

S:\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\SuppMaps_OrdMaps\2022 Ord\1-5-22\Z-59-21-2.mxd

Attachment B

City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

Staff Report Z-59-21-2
November 2, 2021

North Gateway Village Planning Committee Meeting Date:	November 4, 2021
Planning Commission Hearing Date:	December 2, 2021
Request From:	PCD NBCOD (Approved C-2 or CP M-R PCD NBCOD) (31.97 acres)
Request To:	C-2 NBCOD (31.97 acres)
Proposed Use:	Planned Community District removal and to allow multifamily residential
Location:	Southwest corner of the 29th Avenue and Bronco Butte Trail alignments
Owner:	David McHenry & Mary Jane Trust
Applicant	Alan Beaudoin, Norris Design
Representative	Shelby Duplessis, EMC Management, LLC
Staff Recommendation:	Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation		Primary Village Core, Mixed Use (Commercial/Commerce – Business Park), Preserves/Floodplain	
Street Map Classification	29th Avenue	Not classified (Pending study)	Not dedicated
	Bronco Butte Trail	Not classified (Pending study)	Not dedicated

CONNECT PEOPLE & PLACES CORE VALUE; CORES, CENTERS & CORRIDORS; LAND USE PRINCIPLE: Plan cores, centers and corridors to include a variety of land uses: office, retail shopping, entertainment and cultural, housing, hotel and resort, and where appropriate, some types of industry.

The proposal includes 354 single-story detached and attached units within the North Gateway Village Core. The proposal will provide additional housing opportunities in the Village within close proximity to and expanding W. L. Gore Campus and the proposed Taiwan Semiconductor Manufacturing Company site.

CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS CORE VALUE; CERTAINTY & CHARACTER; DESIGN PRINCIPLE: DESIGN: Promote neighborhood identity through planning that reinforces the existing landscaping and character of the area. Each new development should contribute to the character identified for the village.

The proposed development will comply with principles outlined in the North Gateway Core Plan, North Black Canyon Corridor Plan, and North Black Canyon Overlay District. The site will not only maintain the desert character, but also promote walkability and connectivity through the Village Core by having pedestrian walkways along the Paseo del Prado and Skunk Creek Wash.

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREES & SHADE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.

As stipulated, the site will provide shaded pedestrian paths. The enhanced shading will create vibrant pedestrian spaces and reduce the urban heat island effect.

Applicable Plans, Overlays, and Initiatives

North Gateway Village Core Plan: See Background Item Nos. 6 and 7.

North Black Canyon Corridor Plan: See Background Item No. 8.

North Black Canyon Overlay District: See Background Item No. 9.

Tree and Shade Master Plan: See Background Item No. 13.

Complete Streets Guiding Principles: See Background Item No. 14.

Comprehensive Bicycle Master Plan: See Background Item No. 15.
Housing Phoenix: See Background Item No. 16.
Zero Waste PHX: See Background Item No. 17.

Surrounding Land Uses/Zoning		
	Land Use	**Zoning**
On Site	Vacant	PCD NBCOD (Approved C-2 or CP M-R PCD NBCOD)
North	Vacant	C-2 M-R NBCOD
West	Skunk Creek Wash	FH PCD NBCOD
East	Vacant (proposed multifamily residential)	C-2 HGT/WVR DNS/WVR NBCOD
South	Vacant	PCD NBCOD (Approved C-2 or CP M-R PCD NBCOD)

C-2 NBCOD (Utilizing R-3 Development Standards – Planned Residential Development Option)		
Standards	**R-3 Requirements**	**Provisions on the Proposed Site Plan**
Gross Acreage	-	31.97 acres
Maximum Total Number of Units	487; 556 with bonus	354 units (Met)
Maximum Density (dwelling unit/acre)	15.23; 17.40 with bonus	11.07 (Met)
Maximum Lot Coverage	45%	25% (Met)
Maximum Building Height	2 stories or 30 feet for first 150 feet; building height may be increased by 1 foot for every 5 feet of increased setback to a maximum of 4 stories or 48 feet	1 story and 20 feet (Met)

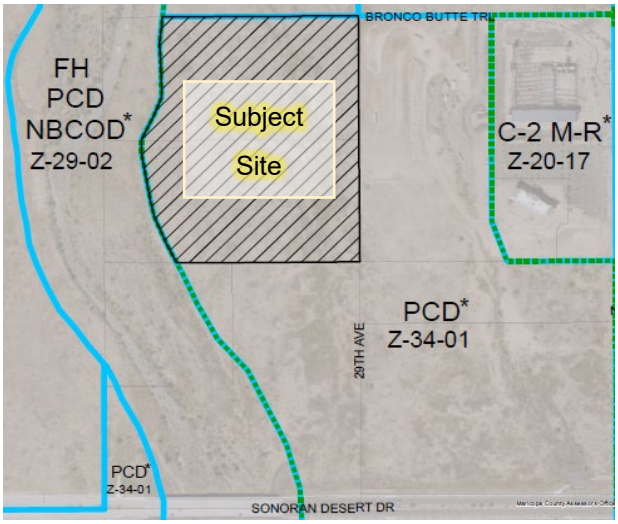
Standards	**R-3 Requirements**	**Provisions on the Proposed Site Plan**
MINIMUM BUILDING SETBACKS		
Perimeter Adjacent to a Public Street (East property line)	20 feet	25 feet (Met)
Perimeter Adjacent to a Property Line (North, South, and West property lines)	15 feet	North: 15 feet (Met) South: 15 feet (Met) West: Setback varies along Skunk Creek Wash (Met)
MINIMUM LANDSCAPE SETBACKS AND OPEN SPACE STANDARDS		
Adjacent to Street (East)	20 feet	25 feet (Met)
Adjacent to Property Line (North, South, and West)	5 feet	North: 15 feet (Met) South: 15 feet (Met) West: Setback varies along Skunk Creek Wash (Met)
Minimum Open Space	5%	7% (Met)
Minimum Amenities Provided	2 amenities	7 amenities (Met)
MINIMUM PARKING REQUIREMENTS		
Parking	551 spaces	56 garage spaces; 662 surface spaces; 718 total spaces (Met)

*Variance or Site Plan modification needed.

Background/Issues/Analysis

REQUEST

1. This is a request to rezone a 31.97-gross acre site located at the southwest corner of the 29th Avenue and Bronco Butte Trail alignments from PCD NBCOD (Planned Community District, North Black Canyon Overlay District), approved C-2 or CP M-R PCD NBCOD (Intermediate Commercial or Commerce Park, Mid-Rise, Planned Community District, North Black Canyon Overlay District) to C-2 NBCOD (Intermediate Commercial, North Black Canyon Overlay District) to remove the property from the North Gateway Planned Community District (PCD) and allow multifamily residential development. The applicant intends to develop 354 detached and attached single-story units on the site.



Zoning Map, Source: City of Phoenix Planning and Development Department

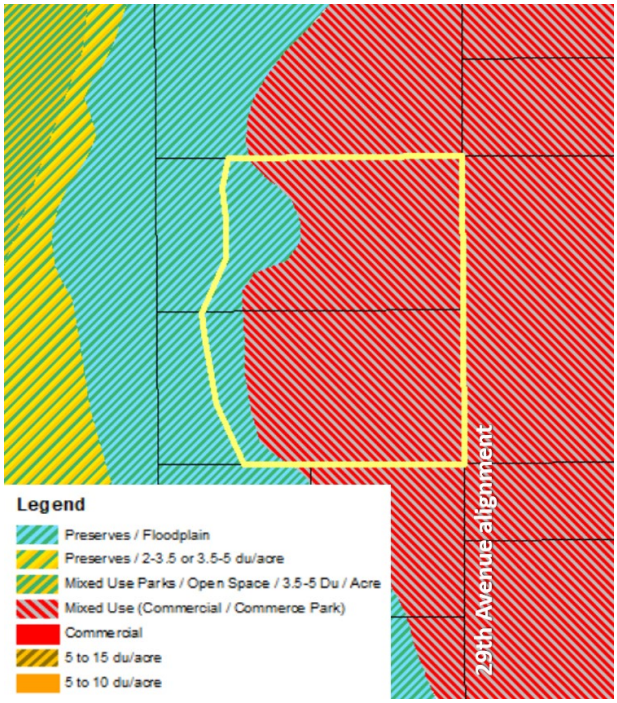
NORTH GATEWAY PCD AND GENERAL PLAN LAND USE MAP DESIGNATIONS

2. The North Gateway PCD was a City-initiated PCD established in 2001 via Rezoning Case No. Z-34-01 with the intent that a master developer would develop the infrastructure as stipulated in the case. The PCD is now considered defunct since a master developer never installed the necessary infrastructure and all the parcels are individually owned. In order for an individual property to develop without the requirement of complying with the overarching PCD infrastructure stipulations, the property must be removed from the PCD via the rezoning process.

3. The North Gateway PCD approved a Mid-Rise overlay on this property as well as other parcels within the North Gateway Village Core to promote high intensity development. As recommended by staff, removal of the Mid-Rise overlay is consistent with stipulated heights in the area and heights included with the proposal.

4. The General Plan Land Use Map designation for the east portion of the subject site is Mixed Use (Commercial/ Commerce – Business Park) and the west portion is designated as Preserves/ Floodplain. A Commercial land use designation accommodates multifamily development at varying scales and intensities.

   Additionally, the boundaries of General Plan Land Use Map designation of Preserves/ Floodplain west of the site do not presently align with the underlying Flood Hazard (FH) zoning boundary.



General Plan Land Use Map, Source: City of Phoenix Planning and Development Department

   The area to the east of the site is designated as Mixed Use (Commercial/Commerce – Business Park). The areas to the north and south are designated as both Mixed Use (Commercial/Commerce – Business Park) and Preserves/Floodplain. The area to the west is designated as Preserves/Floodplain.

   The C-2 NBCOD zoning requested is consistent with the Mixed Use General Plan Land Use Map designation and compatible with existing and future envisioned land uses in the area.

   The subject site is also within the North Gateway Village Core and further discussed in Background Item No. 6.

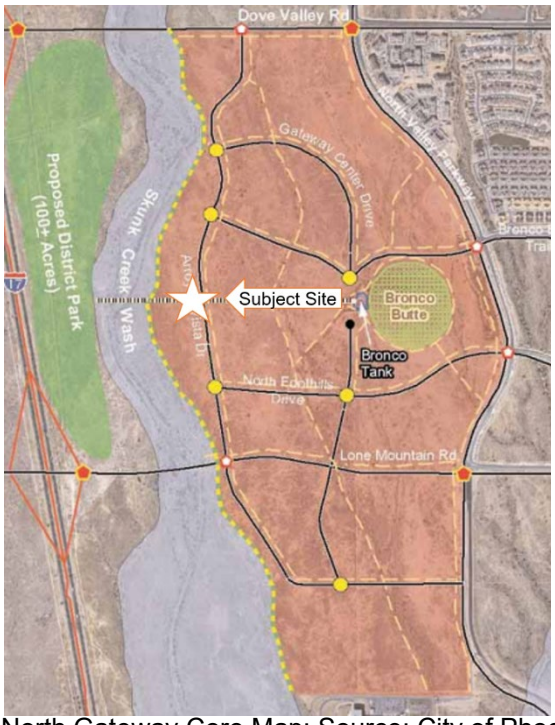
SURROUNDING USES AND ZONING

5. The subject site is surrounded by vacant land. The property to the north of the site is zoned C-2 M-R NBCOD (Intermediate Commercial, Mid Rise, North Black Canyon Overlay District), approved by Rezoning Case No. Z-83-18-2. The property to the east is zoned C-2 HGT/WVR DNS/WVR NBCOD (Intermediate Commercial, Height Waiver, Density Waiver, North Black Canyon Overlay District) and subject to Rezoning Case No. Z-30-21-2 which proposed a multifamily residential development. South of the site are vacant parcels zoned PCD NBCOD (Approved C-2 or CP M-R PCD NBCOD). These properties are currently going through the entitlement process to be removed from the North

Gateway PCD via Rezoning Case No. Z-66-21-2 and are planned to develop as multifamily residential. The area to the west is zoned FH PCD NBCOD (Flood Hazard and Erosion Management District, Planned Community District, North Black Canyon Overlay District) and subject to Rezoning Case No. Z-29-02-2.

NORTH GATEWAY VILLAGE CORE

6. The subject site is within the North Gateway Village Core. Phoenix City Council adopted the North Gateway Village Core Plan in 2008 to provide guidance in creating a high density, urban environment with Skunk Creek Wash and Bronco Butte as major natural amenities.



North Gateway Core Map; Source: City of Phoenix Planning and Development North Gateway Village Core Plan

The request to remove the subject site from the North Gateway PCD to allow for multifamily development aligns with the plan's principles of providing high density residential uses around the Paseo del Prado. The North Gateway Village Core Plan indicated that the site was envisioned to develop as Mixed Use, Residential/Retail, which encourages unique residential opportunities. The rezoning request proposes a multifamily residential development with numerous pedestrian connections along the Paseo del Prado and Skunk Creek Wash to promote cohesive pedestrian circulation while preserving the natural features in the area.

7. A Master Street Plan for the North Gateway PCD was never developed, thus the corresponding street alignments and cross sections were not incorporated into the Street Classification Map. Previous requests to remove properties from the North Gateway PCD have included stipulations for street dedications and improvements within the North Gateway Village Core.

Several property owners and stakeholders within the PCD have commenced a traffic study for the North Gateway Village Core. CivTech, a consulting engineering firm specializing in traffic engineering, is working to complete the study and ensure accurate land use projections. The study is aimed at providing

an analysis related to the overall capacity for the roadway network within the Village Core. The study has not been completed at the time of this report, however subsequent sections of this report outline the requirements from the Street Transportation Department for this development.

NORTH BLACK CANYON CORRIDOR PLAN

8. The subject site is within the North Black Canyon Corridor Plan. The Phoenix City Council adopted the Corridor Plan in 1999 to guide growth and development within the plan area. The proposal is consistent with the intent of the following goals from the plan:

- *Goal 2: Achieve a balance between employment and housing.*
  The proposed development enhances the mixture of uses within the area by locating housing units within close proximity to existing and future employment opportunities. The site is also located within the North Gateway Village Core, which is envisioned as a high-density, mixed use urban environment.

- *Goal 4: Preserve North Sonoran Desert amenities and use these features to define community form and identity.*
  As depicted on the site plan, the developer intends to incorporate the Paseo del Prado as a central feature of the site and provide access to Skunk Creek Wash to the west. Both the Paseo del Prado and Skunk Creek Wash are existing desert features that provide character and identity to the Village.

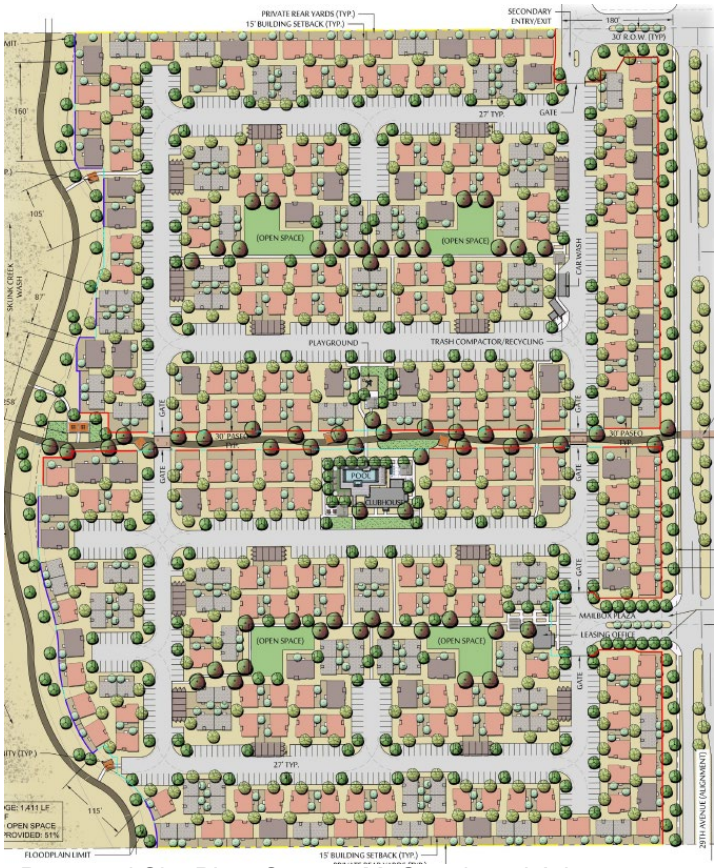
NORTH BLACK CANYON OVERLAY DISTRICT

9. The subject site is within the North Black Canyon Overlay District (NBCOD). The City Council adopted the NBCOD in 2001 in order to implement the designs and concepts of the North Black Canyon Corridor Plan. The NBCOD ensures development is compatible with the desert environment by providing comprehensive design guidelines. The development will be consistent with the NBCOD guidelines by developing buildings with a desert color palette, as depiccted in the building elevations submitted by the applicant. Building design is further discussed in Background Item No. 11.

   The subject site is directly adjacent to Skunk Creek Wash and, per the NBCOD, the developer will allow the wash to serve multi-use functions. In addition to drainage, the wash system will contain trails which function as a recreational and visual amenity. The trail along Skunk Creek Wash will also tie into the Paseo del Prado, enhancing to the proposed pedestrian corridor network through the North Gateway Village Core.

PROPOSAL

10. The conceptual site plan proposes 354 detached and attached one-story multifamily units. These units are composed of 126 one-bedroom units, 189 two-bedroom units, and 39 three-bedroom units.



Proposed Site Plan; Source: McGough and Adamson

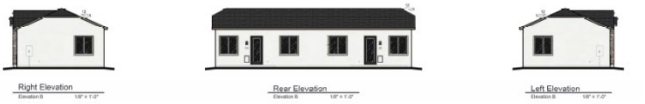
There are two entry points to the site from 29th Avenue, including a gated main entrance on the south side of the site and a secondary gated driveway on the north side of the site. Both entryways will provide ingress and egress to 29th Avenue, once the roadway is developed. In regard to vehicular parking, there are 56 garage spaces and 662 surface parking spaces. The garage spaces also have attached storage spaces. Of the total number of surface parking spaces, which are distributed equitably throughout the site, a minimum of 360 spaces will be covered.

There are various open space and amenity areas dispersed throughout the site. The proposed development contains a playground, pool, clubhouse, four open space areas, and three minor amenities with pedestrian connections to the Skunk Creek Wash trail. The trail along Skunk Creek Wash also connects to the Paseo del Prado, which bisects the site. The Paseo will be accessible to residents and the public, which supports the proposed vision of having a viable pedestrian corridor through the North Gateway Village Core.

Staff does not recommend general conformance to the conceptual site plan provided by the applicant as modifications to this plan may be required to address street-related stipulations as outlined subsequently in this report. However, staff recommends Stipulation No. 1 to limit the maximum number of dwelling units to 354. Furthermore, Stipulation Nos. 2 and 3 address landscape

setback enhancements along 29th Avenue and the western side of the site. Lastly, staff recommends Stipulation No. 4 to require the distribution of open space areas throughout the development, including along the Paseo Del Prado, to promote pedestrian interaction between these areas.

11. The conceptual building elevations depict three residential building types, in addition to the leasing office. The front elevations include a variety of exterior colors and materials which include masonry veneer and stucco. Each building product creates architectural interest with decorative front doors, pop outs, offsets, recesses, variations in roof height, and various window sizes.





Residential Building Rendering – 1 Bedroom Duplex; Source: Norris Design

All of the proposed buildings will be kept at one story, under 20 feet in height per the building elevations submitted by the applicant. Staff is not recommending general conformance to the elevations because the side and rear elevations do not exhibit the same design continuity as the front elevations. Since the development is within the North Gateway Village Core and some of the building elevations will be oriented towads Skunk Creek Wash, the Paseo del Prado, and 29th Avenue, staff is recommending Stipulation No. 5 to ensure that the architectural features and/or materials will be shown on all sides of the buildings.





Residential Building Rendering – 2 Bedroom Detched Unit; Source: Norris Design

Staff is also recommending Stipulation No. 6 to ensure colors and materials are in compliance with the NBCOD and in keeping with other planned development in the Core.





Residential Building Rendering – 3 Bedroom Depatched Unit; Source: Norris Design

12. The conceptual site plan depicts various pedestrian connections throughout the development, including connections to the shared use path along Skunk Creek Wash and to the Paseo del Prado. Staff recommends Stipulation No. 7 to require a minimum of three pedestrian connections from the development to the shared use path along Skunk Creek Wash. Additionally, staff is recommending Stipulation No. 8 to ensure that the development will construct and dedicated the Paseo del Prado within the designated alignment, plus provide enhancements to this area such as shading. Staff is also recommending Stipulation No. 9 to ensure that the development constructs a shared use path within a public trail easement along the east side of Skunk Creek Wash.

    Stipulation No. 10 requires that shading of pedestrian walkways be a minimum of 75 percent to promote thermal comfort and walkability. Stipulation No. 11 requires that alternative paving material be utilized where pedestrian paths and vehicular drives intersect to promote safety. Stipulation No. 12 requireds pedestrian pathway be connected using the most direct route for pedestrians.

CITYWIDE STUDIES AND POLICIES

13. **Tree and Shade Master Plan**

    The Tree and Shade Master Plan has a goal of treating the urban forest as infrastructure to ensure trees are an integral part of the City's planning and development process. Sidewalks on street frontages should be detached from the curbs to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect. To contribute to future improvements of this site and the urban forest infrastructure, staff is recommending that a minimum of 75 percent of the pedestrian pathways, including the Paseo del Prado, be shaded by structures or landscaping, which is addressed in Stipulation No. 10.

14. **Complete Streets Guiding Principles**
In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. Staff recommends Stipulation Nos. 13 and 14 to require detached sidewalks along adjacent public streets and bicycle parking to promote various methods of transportation.

15. **Comprehensive Bicycle Master Plan**
The City of Phoenix adopted the Comprehensive Bicycle Master Plan in 2014 to guide the development of its Bikeway System and supportive infrastructure. Bicycle lanes have been designated within Sonoran Desert Drive, south of the subject site. Staff recommends bicycle parking be provided for both residents and guests. Bicycle parking is addressed in Stipulation No. 14.

16. **Housing Phoenix**
In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This plan contains policy initiatives for the development and preservation of housing with a vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing. The proposed development will provide up to 354 mulitfamily units of various sizes, which supports the plan's goal of preserving or creating 50,000 housing units by 2030 and contributes to a variety of housing types that will address the supply shortage.

17. **Zero Waste PHX**
The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero waste city, as part of the City's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs. Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial, and mixed use developments meeting certain criteria. Per the applicant's proposed site plan, recycling facilities will be available on site.

COMMUNITY INPUT SUMMARY

18. At the time the staff report was written, staff had not received any community correspondence regarding this request.

INTERDEPARTMENTAL COMMENTS

19. The Public Transit Department provided comments pertaining to pedestrian pathways connecting building entrances and public sidewalks via the most direct route. Additionally, the Department provided comments recommending alternative paving materials or treatments where pedestrian pathways cross drive aisles and a minimum 75 percent shade coverage along all pedestrian paths and sidewalks at full maturity. These are addressed in Stipulation Nos. 10 through 12.

20. The Street Transportation Department provided the following comments:

    - The developer shall provide detached sidewalks with a landscape area between the back of curb and back of sidewalk at a minimum of 10 feet in width to meet the Street Classification Map requirements. This is addressed in Stipulation No. 13.

    - The developer shall provide bicycle infrastructure for residents and guests. This is addressed in Stipulation No. 14.

    - The applicant shall submit a Traffic Impact Study to the City for the development. This is addressed in Stipulation No. 15.

    - The developer shall provide the appropriate dedication and construction of adjacent right-of-way. This is addressed in Stipulation Nos. 16 through 20 and 23.

    - The development shall provide a pedestrian crossing and amenity area at the intersection of 29th Avenue and the paseo trail path. This is addressed in Stipulation Nos. 21 and 22.

21. The Water Services Department commented that the closest water main is within Sonoran Desert Drive and a water main extension will be required at development. Additionally, the closest sewer main is within 26th Glen and a sewer main extension will be required at development. The Department stated that depending on the timing for the development, there may or may not be downstream sewer capacity issues. The Department noted that capacity is a dynamic condition that can change over time due to a variety of factors and the City is only able to provide assurance of water and sewer capacity at the time of preliminary site plan approval.

22. The Floodplain Management Division of the Public Works Department has indicated that the parcel is located in a Special Flood Hazard Area (SFHA), as designated by the Federal Emergency Management Agency (FEMA). The division indicated that no encroachment is allowed in the floodway without

hydrologic and hydraulic analysis showing no rise in water surface elevation and increase in the SFHA boundaries.

23. The Fire Department had no comments regarding the case.

OTHER

24. The site is located in a larger area identified as being archaeologically sensitive. If further review by the City of Phoenix Archaeology Office determines the site and immediate area to be archaeologically sensitive, and if no previous archaeological projects have been conducted within this project area, it is recommended that archaeological Phase I data testing of this area be conducted. Phase II archaeological data recovery excavations may be necessary based upon the results of the testing. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation Nos. 24 through 26.

25. Development and use of the site are subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal action such as, but not limited to, zoning adjustments and abandonments, may be required.

Findings

1. The development is consistent with the Phoenix General Plan Land Use Map designation of Mixed Use (Commercial/Commerce – Business Park).

2. The C-2 NBCOD zoning districts will allow development that is consistent in character with the vision of the North Gateway Village Core Plan and the North Black Canyon Corridor Plan and Overlay District.

3. The proposed development furthers the goals of the Housing Phoenix Plan by increasing housing options for residents within close proximity to employment options.

Stipulations

1. The development shall be limited to a maximum of 354 dwelling units.

2. A minimum 25-foot wide landscape setback shall be provided along the 29th Avenue frontage, as approved by the Planning and Development Department.

3. The development shall provide a minimum landscape setback of 10 feet between the shared use path along Skunk Creek Wash and any fencing on the west side of the site, as approved by the Planning and Development Department.

4. Open space areas shall be distributed throughout the development, with a minimum of one central amenity area provided within close proximity to the Paseo Del Prado, as approved by the Planning and Development Department.

5. The architectural features and/or materials shown on the front elevation date stamped August 27, 2021 shall be applied to all sides of the building, as approved by the Planning and Development Department.

6. All buildings, wall colors and materials shall be in compliance with the North Black Canyon Overlay District with specific regard to colors being muted and blending with, rather than contrasting strongly, the surrounding desert environment, as approved by the Planning and Development Department.

7. The development shall provide a minimum of 3 access points, with minor amenities and shaded to a minimum of 75 percent, connecting to the Skunk Creek Wash shared use path along the western portion of the site, as approved by the Planning and Development Department.

8. The east-west pedestrian connection (Paseo del Prado) shall be provided in accordance with the North Gateway Core Plan, as modified by the following stipulations and approved by the Planning and Development Department:

    a. The Paseo del Prado shall align with any existing easements and continue through the entirety of the site from east to west.

    b. A public pedestrian access easement of 20 feet shall be dedicated for the pedestrian connection (Paseo del Prado). Of the 20 feet, 12 feet shall remain completely free of any pedestrian impediments, including benches. The remaining 8 feet may be used for pedestrian friendly uses, such as benches, tables, courtyards, etc.

    c. A minimum of 75 percent of the 20-foot pedestrian access easement for the Paseo del Prado shall be shaded by a structure, landscaping, or a combination of the two.

    d. The site shall be designed in such a manner that the building placement creates an alignment and synergy for the Paseo del Prado. This can be achieved by placing uses such as outdoor amenity areas, outdoor seating, and points of architectural interest along the pedestrian path.

9. A minimum 10-foot shared use path (SUP) shall be constructed within a 25-foot-wide public trail easement (PTE) along the east side of Skunk Creek Wash per Section 429 of the City of Phoenix MAG Supplement, as approved by the Planning and Development Department.

10. Pedestrian pathways, including public sidewalks, shall be shaded a minimum of 75 percent by a structural and/or vegetative shade, as approved by the Planning and Development Department.

11. Where pedestrian pathways cross drive aisles, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave parking surfaces and drive aisles, as approved by the Planning and Development Department.

12. Pedestrian pathways shall connect building entrances, public sidewalks, and community amenities, using the most direct route for pedestrians, as approved by the Planning and Development Department.

13. A minimum 5-foot wide sidewalk shall be provided along all streets and be detached with a minimum 10-foot-wide landscaped strip located between the sidewalk and back of curb, and shall include minimum 2-inch caliper shade trees planted a minimum of 20 feet on center or in equivalent groupings along both sides of the sidewalk, as approved by the Planning and Development Department.

14. The developer shall provide secured bicycle parking per Section 1307 of the City of Phoenix Zoning Ordinance. In addition, a minimum of 34 inverted U-bicycle parking stalls shall be provided for guests located near the clubhouse or distributed throughout the site and installed per the requirements of Section 1307.H of the Zoning Ordinance, as approved by the Planning and Development Department.

15. The applicant shall submit a Traffic Impact Study to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. The developer shall be responsible for traffic signal funding and/or escrow contribution as determined by the approved Traffic Impact Study.

16. The developer shall dedicate and construct right-of-way to connect to two separate existing public street, as approved by the Street Transportation Department.

17. The developer shall dedicate and construct the west half of 29th Avenue, as required by the Traffic Impact Study and as approved by the Street Transportation Department.

18. The developer shall provide traffic signal conduit and junction boxes at the southwest corner of 29th Avenue and Bronco Butte Trail and deposit a 25% escrow contribution for the future traffic signal prior to preliminary site plan approval, as approved by the Street Transportation Department.

19. The developer shall provide site access to the future identified signalized intersection of 29th Avenue and Bronco Butte Trail. A cross access easement shall be provided to APN 204-11-002E for joint use of the signalized intersection. Connection shall be reviewed and approved by the Street Transportation Department prior to preliminary site plan approval.

20. All access control placement and spacing shall be in compliance with the Street Planning and Design Guidelines and shall coordinate to align with access on the east side of 29th Avenue, as approved by the Street Transportation Department.

21. The developer shall provide $50,000 in escrow to fund a traffic control device for a pedestrian crossing at the intersection of 29th Avenue and the paseo trail path, as depicted on the site plan date stamped September 14, 2021, and to fund a raised median island for pedestrian refuge along 29th Avenue, prior to preliminary site plan approval and as approved by the Street Transportation Department.

22. The developer shall provide a shaded amenity area for pedestrians at the intersection of 29th Avenue and the paseo trail path, as depicted on the site plan date stamped September 14, 2021, and as approved by the Planning and Development Department.

23. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

24. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeology survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

25. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified

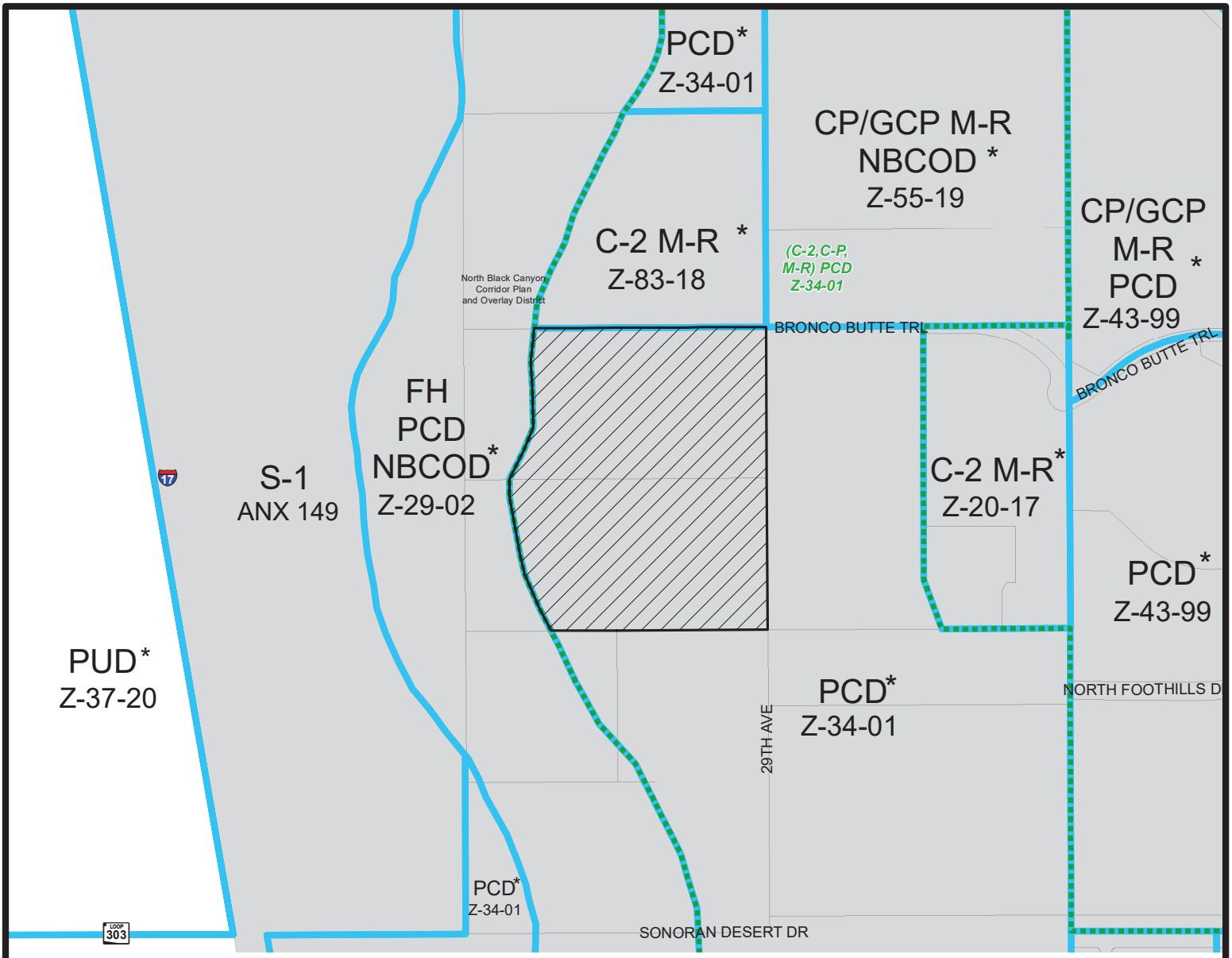
archaeologist, determine such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

26. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

Writer
Julianna Pierre
November 2, 2021

Team Leader
Samantha Keating

Exhibits
Zoning sketch map
Aerial sketch map
Conceptual site plan date stamped November 2, 2021
Conceptual building elevations date stamped August 27, 2021 (4 pages)

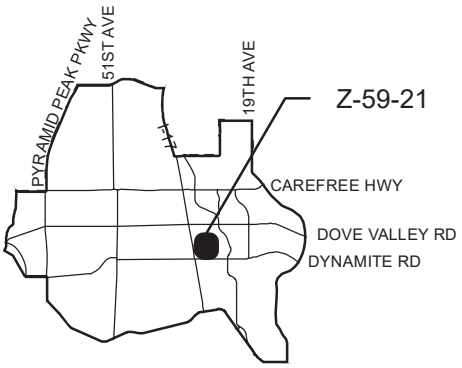


Miles

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NORTH GATEWAY VILLAGE

CITY COUNCIL DISTRICT: 2



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME: Alan Beaudoin, Norris Design

APPLICATION NO. Z-59-21

DATE: 9/8/2021
REVISION DATES: 10/13/2021

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

AERIAL PHOTO & QUARTER SEC. NO.: QS 55-22

ZONING MAP: Q-7

REQUESTED CHANGE:

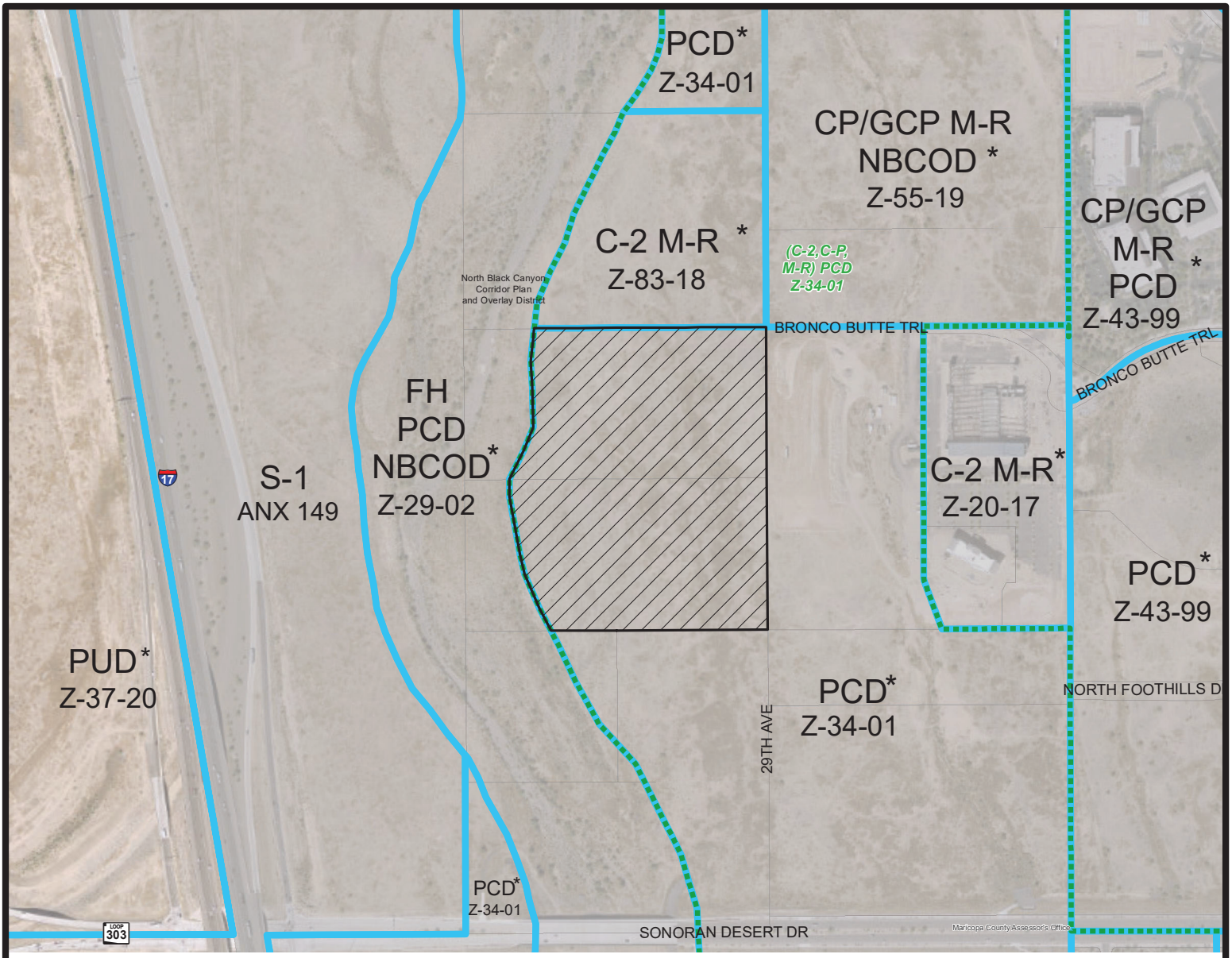
FROM: PCD NBCOD (Approved C-2 or CP M-R PCD NBCOD) (31.97 a.c.)

TO: C-2 NBCOD (31.97 a.c.)

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
PCD NBCOD (Approved C-2 or CP M-R PCD NBCOD)	N/A (463 or use underlying zoning)	N/A (556 or use underlying zoning)
C-2 NBCOD	463	556

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

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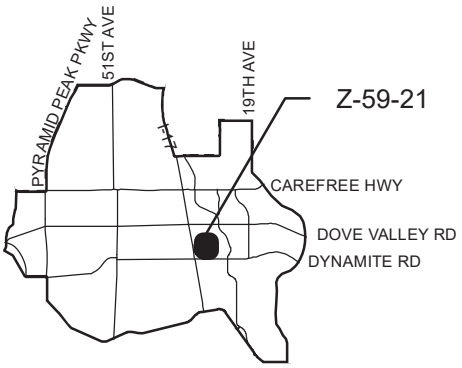


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NORTH GATEWAY VILLAGE

CITY COUNCIL DISTRICT: 2



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME:	Alan Beaudoin, Norris Design
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GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.	31.97 Acres
AERIAL PHOTO & QUARTER SEC. NO.	QS 55-22
ZONING MAP	Q-7

REQUESTED CHANGE:

FROM: PCD NBCOD (Approved C-2 or CP M-R PCD NBCOD) (31.97 a.c.)

TO: C-2 NBCOD (31.97 a.c.)

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
PCD NBCOD (Approved C-2 or CP M-R PCD NBCOD)	N/A (463 or use underlying zoning)	N/A (556 or use underlying zoning)
C-2 NBCOD	463	556

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

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PERIMETER WALL LEGEND

- 6' HT. CMU THEME WALL
- 6' HT. FULL HEIGHT IRON VIEW FENCE
- 6' HT. PARTIAL VIEW FENCE (4' CMU - 2' IRON)
- 6' HT. CMU BUILDER WALL

DETACHED SINGLE LEVEL MULTI-FAMILY - SUMMARY

APN: 204-11-002M & 204-11-002N

TOTAL SITE AREA: 40 ACRES (GROSS)
TOTAL SITE AREA OUTSIDE FLOODPLAIN: ≈ 31.97 AC. (NET)

UNITS: 354 (8.85 DU/ACRE OF TOTAL SITE AREA)
(11.07 DU/ACRE OF DEVELOPABLE AREA)

- 1 BEDROOM UNITS: 126 (35.6%)
- 2 BEDROOM UNITS: 189 (53.4%)
- 3 BEDROOM UNITS: 39 (11.0%)

PARKING SPACES REQUIRED: 551
- 1.5 PER 1BR = 189
- 1.5 PER 2BR = 284
- 2 PER 3BR = 78

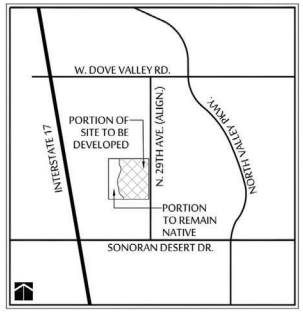
PARKING SPACE PROVIDED: 721 (2.03 / UNIT)
- 56 GARAGE UNITS (84 STORAGE)
- 665 SURFACE PARKING SPACES (MIN. 360 COVERED SPACES)
- ACCESSIBLE: 8 SPACES LOCATIONS TO BE DETERMINED. MAY BE COVERED/UNCOVERED.

LOT COVERAGE: SFR NET AREA = 1,305,924 SQ.FT.
- PAVING: 276,328 SQ.FT = 21%
- BUILDING: 353,050 SQ.FT = 27%
- LANDSCAPE SETBACK: 29,150 SQ.FT = 2.2%
- USABLE OPEN SPACE: 110,185 SQ.FT = 8.4%
- CENTRAL PASEO O.S.: 51,847 SQ.FT = 4%
- COMMON LS O.S.: 359,154 SQ.FT = 27.6%
- PRIVATE YARD O.S.: 126,210 SQ.FT = 9.8%

LEGEND
- 1 BEDROOM UNIT
- 2 BEDROOM UNIT
- 3 BEDROOM UNIT
- STORAGE / GARAGES

WASH IMPROVEMENTS

SKUNK CREEK WASH IMPROVEMENTS
- TOTAL WASH FRONTAGE: 1411 LF
- TOTAL IMPROVED WASH FRONTAGE: 725 LF
- PERCENTAGE OF IMPROVED WASH FRONTAGE: 51.4%



CITY OF PHOENIX
NOV 02 2021
Planning & Development Department

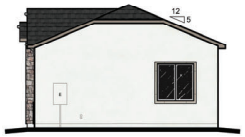
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0' 70' 140' 210'
NORTH

MCGOUGH ADAMSON
Landscape Architects
Land Planning
Irrigation

EMPIRE
GROUP OF COMPANIES

VILLAGE AT BRONCO TRAIL
CONCEPTUAL LAND PLAN - 4.0

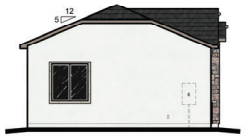
EAST OF I-17 AND NORTH OF SONORAN DESERT DRIVE - PHOENIX, AZ
NOVEMBER 2, 2021



Right Elevation
Elevation B 1/8" = 1'-0"



Rear Elevation
Elevation B 1/8" = 1'-0"



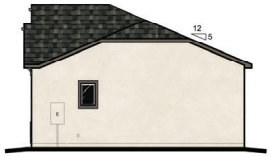
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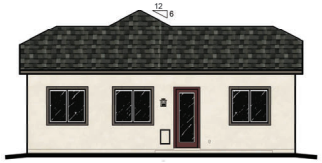
Front Elevation
Elevation B 1/4" = 1'-0"

CITY OF PHOENIX
AUG 27 2021
Planning & Development Department

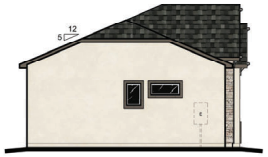
FELTENGROUP ARCHITECTURE | ENGINEERING | FORENSICS
The EMPIRE Group of Companies
NORRIS DESIGN Planning | Landscape Architecture | Branding



Right Elevation
Elevation B 1/8" = 1'-0"



Rear Elevation
Elevation B 1/8" = 1'-0"



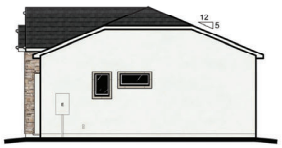
Left Elevation
Elevation B 1/8" = 1'-0"



Front Elevation
Elevation B 1/4" = 1'-0"

CITY OF PHOENIX
AUG 27 2021
Planning & Development Department

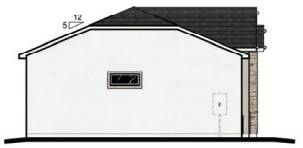
FELTENGROUP ARCHITECTURE | ENGINEERING | FORENSICS
The EMPIRE Group of Companies
NORRIS DESIGN Planning | Landscape Architecture | Branding



Right Elevation
Elevation B 1/8" = 1'-0"



Rear Elevation
Elevation B 1/8" = 1'-0"



Left Elevation
Elevation B 1/8" = 1'-0"



Front Elevation
Elevation B 1/4" = 1'-0"

CITY OF PHOENIX
AUG 27 2021
Planning & Development Department

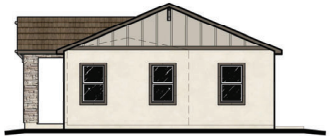
FELTENGROUP ARCHITECTURE | ENGINEERING | FORENSICS
The EMPIRE Group of Companies
NORRIS DESIGN Planning | Landscape Architecture | Branding



Left Elevation
1/8" = 1'-0"



Rear Elevation
1/8" = 1'-0"



Right Elevation
1/8" = 1'-0"



Front Elevation
1/4" = 1'-0"

CITY OF PHOENIX

AUG 27 2021

Planning & Development Department

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North Gateway
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-59-21-2

Date of VPC Meeting	November 4, 2021
Request From	PCD NBCOD (Planned Community District, North Black Canyon Overlay District), approved C-2 or C-P M-R PCD NBCOD (Intermediate Commercial or Commerce Park, Mid-Rise, Planned Community District, North Black Canyon Overlay District)
Request To	C-2 NBCOD (Intermediate Commercial, North Black Canyon Overlay District)
Proposed Use	PCD designation removal and allow multifamily residential
Location	Southwest corner of the 29th Avenue and Bronco Butte Trail alignments
VPC Recommendation	Denial
VPC Vote	4-1

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Julianna Pierre provided information regarding the location of the site, surrounding zoning, and general plan land use designation. She stated that the proposal is to rezone the site from PCD NBCOD (Approved C-2 or CP M-R PCD NBCOD) to C-2 NBCOD to remove the PCD zoning designation and allow multifamily residential. She stated that the development is proposed to have 354 detached and attached one-story multifamily units with various open space and amenity areas dispersed throughout the site. She added that the site will incorporate the Paseo del Prado which will connect to the Skunk Creek Wash trail. She stated that staff is not recommending general conformance because modifications to the site plan may be required to address street related stipulations.

Julianna Pierre stated that the development proposes three residential building types with front elevations that include a variety of exterior colors and materials, including masonry veneer and stucco. She added that the elevations included architectural interest with decorative front doors, pop outs, variations in roof height, and various window sizes. She stated that staff is not recommending general conformance because the side and rear elevations do not exhibit the same design continuity as the front elevations.

Julianna Pierre reviewed the staff finding and stipulations. She added that staff recommended approval, subject to stipulations. She noted that staff had not received any community correspondence.

Ron Harris, representative with Norris Design, stated that the rezoning request aligns with the existing General Plan Land Use Map designation and will remove the PCD and M-R designations. He added that the western side of rezoning boundary aligns with the FH zoning boundary. He added that the Traffic Impact Study (TIS), which was commenced by several property owners and stakeholders within the PCD, has been submitted and is being reviewed by the Street Transportation Department. He also reviewed the elevations and amenities that will be provided.

Chair Jason Stokes asked for clarification regarding the notification requirements. **Ron Harris** stated that mailings were sent to the applicable surrounding properties as well as ten neighborhood organizations. **Committee member Michelle Ricart** asked if Sonoran Commons HOA was sent notification. **Ron Harris** confirmed that a notification letter was sent to that specific HOA.

Committee member Michelle Ricart asked if the applicant had spoken with the Deer Valley School District. **Ron Harris** stated that notices were provided to the school district. **Committee member Michelle Ricart** expressed concerns because the applicant only sent out a mailer to the school district, but has not worked with them directly.

Vice Chair Shannon Simon expressed concerns regarding the density and lack of open space. She added that the appropriate infrastructure has not been established to support the proposed number of units. She also expressed concerns with the development not providing enough parking given the number of units.

Committee member Daniel Tome also expressed concerns regarding infrastructure. He explained that there are various wet crossings in the Village and the issues surrounding these crossings will only be exacerbated by the additional traffic from the development.

Committee member Michelle Ricart stated that she received comments from **Committee member Julie Read**, who could not be present at the meeting. The comments stated that builders should build responsibly. She stated that the amenities provided will attract families, so the developer should work with the school district. She added that the development is in no way trying to benefit the North Gateway community.

Ron Harris stated that a core stakeholder group of property owners is working mutually on a master plan regarding infrastructure for this are of the North Gateway Core. He added that the group has been working with Civil and the Street Transportation Department. He stated that the project is proposing a lower density than what is allowed in the C-2 zoning district. He added that the applicant would be happy to talk to any school district representatives.

MOTION: **Vice Chair Shannon Simon** made a motion to deny Z-59-21-2. The motion was seconded by **Committee member Michelle Ricart.**

VOTE: 4-1 with Committee members Simon, Stokes, Ricart, and Tome in favor and Committee member Tucker in opposition.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:
None.

REPORT OF PLANNING COMMISSION ACTION
December 2, 2021

ITEM NO: 12	
	DISTRICT NO.: 2
SUBJECT:	
Application #:	Z-59-21-2
Location:	Southwest corner of the 29th Avenue and Bronco Butte Trail alignments
From:	PCD NBCOD (Approved C-2 or CP M-R PCD NBCOD)
To:	C-2 NBCOD
Acreage:	31.97
Proposal:	Planned Community District removal and to allow multifamily residential
Applicant:	Alan Beaudoin, Norris Design
Owner:	David McHenry & Mary Jane Trust
Representative:	Shelby Duplessis, EMC Management, LLC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:
North Gateway 11/4/2021 Denial. Vote: 4-1.

Planning Commission Recommendation: Approval, per the staff recommendation, with an additional stipulation, and remand the case back to the North Gateway Village Planning Committee for reconsideration.

Motion Discussion: N/A

Motion details: Commissioner Howard made a MOTION to approve Z-59-21-2, per the staff recommendation, with the additional stipulation as read into the record, and remand the case back to the North Gateway Village Planning Committee for reconsideration.

Maker: Howard
Second: Johnson
Vote: 7-2 (Bushing and Pierz)
Absent: None
Opposition Present: No

Findings:

1. The development is consistent with the Phoenix General Plan Land Use Map designation of Mixed Use (Commercial/Commerce – Business Park).

2. The C-2 NBCOD zoning districts will allow development that is consistent in character with the vision of the North Gateway Village Core Plan and the North Black Canyon Corridor Plan and Overlay District.

3. The proposed development furthers the goals of the Housing Phoenix Plan by increasing housing options for residents within close proximity to employment options.

Stipulations:

1. The development shall be limited to a maximum of 354 dwelling units.

2. A minimum 25-foot-wide landscape setback shall be provided along the 29th Avenue frontage, as approved by the Planning and Development Department.

3. The development shall provide a minimum landscape setback of 10 feet between the shared use path along Skunk Creek Wash and any fencing on the west side of the site, as approved by the Planning and Development Department.

4. Open space areas shall be distributed throughout the development, with a minimum of one central amenity area provided within close proximity to the Paseo Del Prado, as approved by the Planning and Development Department.

5. The architectural features and/or materials shown on the front elevation date stamped August 27, 2021 shall be applied to all sides of the building, as approved by the Planning and Development Department.

6. All buildings, wall colors and materials shall be in compliance with the North Black Canyon Overlay District with specific regard to colors being muted and blending with, rather than contrasting strongly, the surrounding desert environment, as approved by the Planning and Development Department.

7. The development shall provide a minimum of 3 access points, with minor amenities and shaded to a minimum of 75 percent, connecting to the Skunk Creek Wash shared use path along the western portion of the site, as approved by the Planning and Development Department.

8. The east-west pedestrian connection (Paseo del Prado) shall be provided in accordance with the North Gateway Core Plan, as modified by the following stipulations and approved by the Planning and Development Department:

    a. The Paseo del Prado shall align with any existing easements and continue through the entirety of the site from east to west.

    b. A public pedestrian access easement of 20 feet shall be dedicated for the pedestrian connection (Paseo del Prado). Of the 20 feet, 12 feet shall remain completely free of any pedestrian impediments, including benches. The remaining 8 feet may be used for pedestrian friendly uses, such as benches

    c. A minimum of 75 percent of the 20-foot pedestrian access easement for the Paseo del Prado shall be shaded by a structure, landscaping, or a combination of the two.

    d. The site shall be designed in such a manner that the building placement creates an alignment and synergy for the Paseo del Prado. This can be achieved by placing uses such as outdoor amenity areas, outdoor seating, and points of architectural interest along the pedestrian path.

9. A minimum 10-foot shared use path (SUP) shall be constructed within a 25-foot-wide public trail easement (PTE) along the east side of Skunk Creek Wash per Section 429 of the City of Phoenix MAG Supplement, as approved by the Planning and Development Department.

10. Pedestrian pathways, including public sidewalks, shall be shaded a minimum of 75 percent by a structural and/or vegetative shade, as approved by the Planning and Development Department.

11. Where pedestrian pathways cross drive aisles, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave parking surfaces and drive aisles, as approved by the Planning and Development Department.

12. Pedestrian pathways shall connect building entrances, public sidewalks, and community amenities, using the most direct route for pedestrians, as approved by the Planning and Development Department.

13. A minimum 5-foot-wide sidewalk shall be provided along all streets and be detached with a minimum 10-foot-wide landscaped strip located between the sidewalk and back of curb and shall include minimum 2-inch caliper shade trees planted a minimum of 20 feet on center or in equivalent groupings along both sides of the sidewalk, as approved by the Planning and Development Department.

14. The developer shall provide secured bicycle parking per Section 1307 of the City of Phoenix Zoning Ordinance. In addition, a minimum of 34 inverted U-bicycle parking stalls shall be provided for guests located near the clubhouse or distributed throughout the site and installed per the requirements of Section 1307.H of the Zoning Ordinance, as approved by the Planning and Development Department.

15. The applicant shall submit a Traffic Impact Study to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. The developer shall be responsible for traffic signal funding and/or escrow contribution as determined by the approved Traffic Impact Study.

16. The developer shall dedicate and construct right-of-way to connect to two separate existing public street, as approved by the Street Transportation Department.

17. The developer shall dedicate and construct the west half of 29th Avenue, as required by the Traffic Impact Study and as approved by the Street Transportation Department.

18. The developer shall provide traffic signal conduit and junction boxes at the southwest corner of 29th Avenue and Bronco Butte Trail and deposit a 25% escrow contribution for the future traffic signal prior to preliminary site plan approval, as approved by the Street Transportation Department.

19. The developer shall provide site access to the future identified signalized intersection of 29th Avenue and Bronco Butte Trail. A cross access easement shall be provided to APN 204-11-002E for joint use of the signalized intersection. Connection shall be reviewed and approved by the Street Transportation Department prior to preliminary site plan approval.

20. All access control placement and spacing shall be in compliance with the Street Planning and Design Guidelines and shall coordinate to align with access on the east side of 29th Avenue, as approved by the Street Transportation Department.

21. The developer shall provide $50,000 in escrow to fund a traffic control device for a pedestrian crossing at the intersection of 29th Avenue and the paseo trail path, as

depicted on the site plan date stamped September 14, 2021, and to fund a raised median island for pedestrian refuge along 29th Avenue, prior to preliminary site plan approval and as approved by the Street Transportation Department.

22. The developer shall provide a shaded amenity area for pedestrians at the intersection of 29th Avenue and the paseo trail path, as depicted on the site plan date stamped September 14, 2021, and as approved by the Planning and Development Department.

23. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

24. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeology survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

25. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determine such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

26. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

27. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS FORM. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 495-5622, TTY use 7-1-1.

North Gateway
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-59-21-2
RECONSIDERATION

Date of VPC Meeting	January 14, 2022
Request From	PCD NBCOD (Planned Community District, North Black Canyon Overlay District), approved C-2 or C-P M-R PCD NBCOD (Intermediate Commercial or Commerce Park, Mid-Rise, Planned Community District, North Black Canyon Overlay District)
Request To	C-2 NBCOD (Intermediate Commercial, North Black Canyon Overlay District)
Proposed Use	PCD designation removal and allow multifamily residential
Location	Southwest corner of the 29th Avenue and Bronco Butte Trail alignments
VPC Recommendation	Approval
VPC Vote	2-1

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Julianna Pierre provided information regarding the location of the site, surrounding zoning, and general plan land use designation. She stated that the proposal is to rezone the site from PCD NBCOD (Approved C-2 or CP M-R PCD NBCOD) to C-2 NBCOD to remove the PCD zoning designation and allow multifamily residential. She stated that the development is proposed to have 354 detached and attached one-story multifamily units with various open space and amenity areas dispersed throughout the site. She added that the site will incorporate the Paseo del Prado which will connect to the Skunk Creek Wash trail.

Julianna Pierre stated that the development proposes three residential building types with front elevations that include a variety of exterior colors and materials, including masonry veneer and stucco. She added that the elevations included architectural interest with decorative front doors, pop outs, variations in roof height, and various window sizes.

Julianna Pierre stated that the item was heard by Planning Commission on December 2, 2021, where the item was approved per the staff recommendation with an additional stipulation and remanded back to the North Gateway Village Planning Committee (VPC)

for reconsideration. She noted that the additional stipulation was for the applicant to submit a Proposition 207 Waiver of Claims prior to preliminary site plan approval.

Alan Beaudoin, representative with Norris Design, stated that he discussed the case with Planning Commission members and Council Office and the site plan had been updated based on comments provided. He stated that view fencing had been added along the Paseo del Prado for an open feeling. He stated that the rezoning request aligns with the existing General Plan Land Use Map designation and will remove the PCD and M-R designations. He stated that a traffic study, master water plan, and master wastewater plan were being completed to comprehensively plan infrastructure for the entire Village Core.

Committee member Michelle Ricart expressed concerns because there were no major changes to the application considering the VPC's primary issue was with density. **Alan Beaudoin** stated that the of all the rezoning cases brought before the Village, this proposal was the lowest in density. He also noted that the proposed density is permitted in the zoning district. **Committee member Michelle Ricart** stated that there is also an issue with lot coverage and stressed that the proposal is not pleasing. She also noted that one of the closest homeowner's associations did not receive notification, which may have been why there was no community input. She reiterated that she wanted to see more changes to the application.

Committee member Michelle Ricart asked how the applicant was working with the school district. **Alan Beaudoin** stated that there have been conversations with the school superintendent and there is a contribution agreement. **Committee member Julie Read** expressed her appreciation regarding the contribution agreement.

Chair Jason Stokes stated that since the development is all one-story units, the density is horizontal rather than vertically, as have been seen with other proposed developments in the Core. He asked how high they could build with a density waiver. **Julianna Pierre** stated that if the applicant were to rezone with a density waiver they could build to the R-5 standards at 4 stories or 48 feet. **Committee member Michelle Ricart** reiterated that the density and lot coverage are too high.

Alan Beaudoin stated that the development would have a strong and connected pedestrian network. He added that by having the site remain single story would maintain views west of the site.

Committee member Michelle Ricart asked about the site's amenities. **Alan Beaudoin** stated that amenities would include, but are not limited to, a community pool, dog run, car wash, various open spaces, walking paths, and recreational and event facilities.

Bob Thompson, a member of the public, asked if the development would be rental. **Alan Beaudoin** stated that, yes, the development would be for rent. **Bob Thompson** asked if there would be any funding contribution to Dove Valley Road. **Alan Beaudoin** stated that a portion of the impact fees would go to infrastructure. **Bob Thompson** asked if the development would be the same value as other developments in the area. **Chair Jason Stokes** noted that this was beyond the purview of the VPC.

MOTION: **Committee member Michelle Ricart** made a motion to approve Z-59-21-2. The motion was seconded by **Committee member Julie Read.**

VOTE: 2-1 with Committee members Stokes and Read in favor and Committee member Ricart in opposition.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:
None.

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 75

Public Hearing and Ordinance Adoption - Rezoning Application Z-60-21-6 - Approximately 65 Feet West of the Southwest Corner of 40th Street and Monterosa Street (Ordinance G-6960)

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-60-21-6 and rezone the site from R1-6 (Single-Family Residence District) and R-3 (Multifamily Residence District) to R-3 (Multifamily Residence District) to allow multifamily residential.

Summary

Current Zoning: R1-6 (0.21-acres) and R-3 (0.42-acres)
Proposed Zoning: R-3
Acreage: 0.63-acres
Proposal: Multifamily residential

Owner: Chapter 2, LLC; c/o Geoff Edlund
Applicant: Brian Greathouse, Burch & Cracchiolo, PA
Representative: Brian Greathouse, Burch & Cracchiolo, PA

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Camelback East Village Planning Committee heard this case on Dec. 7, 2021 and recommended approval, per the staff recommendation and with a modified stipulation, by a vote of 15-0.
PC Action: The Planning Commission heard this case on Jan. 6, 2022, and recommended approval, per the Camelback East Village Planning Committee recommendation with an additional stipulation, by a vote of 8-0.
The Planning Commission recommendation was appealed on Jan. 11, 2022 and a petition for a three-quarter vote was submitted on Jan. 12, 2022 (see Attachment E). **A three-quarter vote will be required.**

Location

Approximately 65 feet west of the southwest corner of 40th Street and Monterosa Street.
Council District: 6

Parcel Address: 3933, 3937, and 3943 E. Monterosa St.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-60-21-6) FROM R1-6 (SINGLE-FAMILY RESIDENCE DISTRICT) AND R-3 (MULTIFAMILY RESIDENCE DISTRICT) TO R-3 (MULTIFAMILY RESIDENCE DISTRICT).

_____

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

SECTION 1. The zoning of a 0.63 acre site located approximately 65 feet west of the southwest corner of 40th Street and Monterosa Street in a portion of Section 24, Township 2 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from 0.21-acres of "R1-6" (Single-Family Residence District) and 0.42-acres of "R-3" (Multifamily Residence District) to "R-3" (Multifamily Residence District).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit "B."

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations,

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violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. The development shall be in general conformance with the elevations date stamped September 2, 2021, with specific regard to the following and as approved by the Planning and Development Department.

    a. There shall be a maximum building height of 2 stories and 30 feet.

    b. Individual entryways on front (Monterosa) elevation shall be clearly identifiable as the primary pedestrian access for residential units.

2. The developer shall construct a minimum 5-foot-wide public sidewalk along the south side of Monterosa Street, as approved by the Planning and Development Department.

3. The primary entryways into residential units shall face Monterosa Street. These entryways shall incorporate a patio or seating court area, as approved by the Planning and Development Department.

4. The required landscape setback along Monterosa Street shall include minimum 3-inch caliper single-trunk large canopy shade trees planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department. Five, five-gallon shrubs per tree, and additional shrubs or live groundcover shall provide minimum 75 percent live cover at maturity, as approved by the Planning and Development Department.

5. A minimum 10-foot landscape setback shall be required along the west and east property lines. These areas shall be planted with minimum 2-inch caliper shade trees placed 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

6. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper drought-tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25 percent shade at maturity, as approved by Planning and Development Department. Shade may be provided with a combination of trees and structural shade.

7. A minimum of eight bicycle parking spaces shall be provided through Inverted U and/or artistic racks located on the southwest portion of the site, to the north of the pedestrian entry gate depicted on the site plan date stamped September 2, 2021. These parking spaces shall be installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.

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8. Clearly defined, accessible pedestrian pathways shall be provided to connect building entrances and public sidewalks, using the most direct route for pedestrians, as approved by the Planning and Development Department.

9. Where pedestrian pathways cross drive aisles, they shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.

10. The developer shall provide 20 feet of paving per the local street requirements for the alley from the western boundary of the property to 40th Street, as approved by the Planning and Development Department.

11. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.

12. The developer shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.

13. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.

14. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

15. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

16. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the

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decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 2nd day of February, 2022.

_____
MAYOR

ATTEST:

_____
Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:
_____
_____

REVIEWED BY:

_____
Jeffrey Barton, City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-60-21-6

LOTS 2, 3, AND 4, BLOCK 10, RANCHO DEL MONTE UNIT TWO, ACCORDING TO BOOK 50 OF MAPS, PAGE 9, SECTION 24, TOWNSHIP 2 NORTH, RANGE 3 EAST, RECORDS OF MARICOPA COUNTY, ARIZONA.

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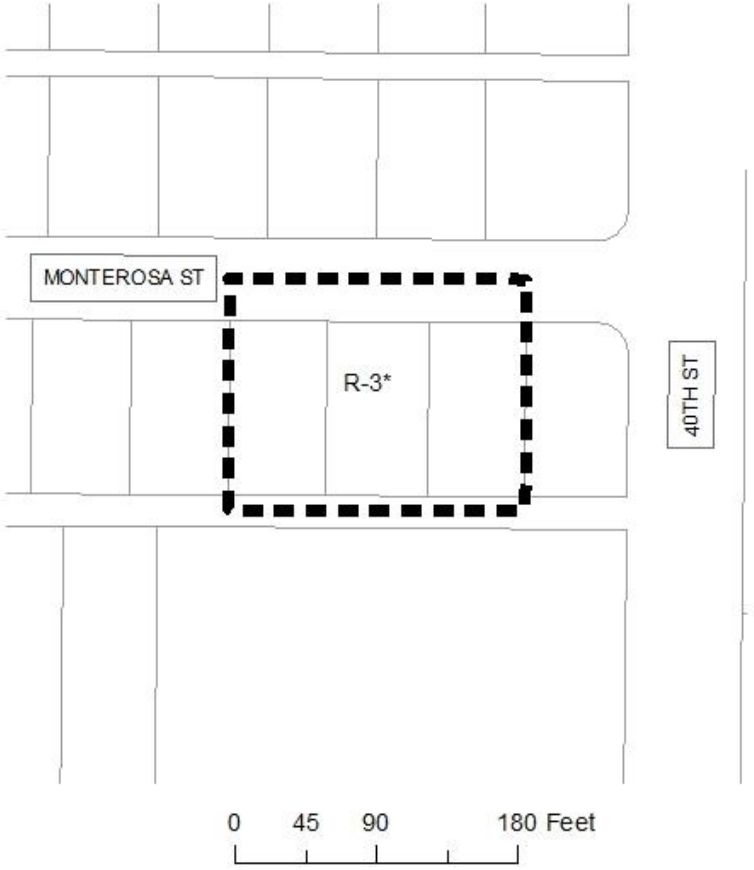
ORDINANCE LOCATION MAP

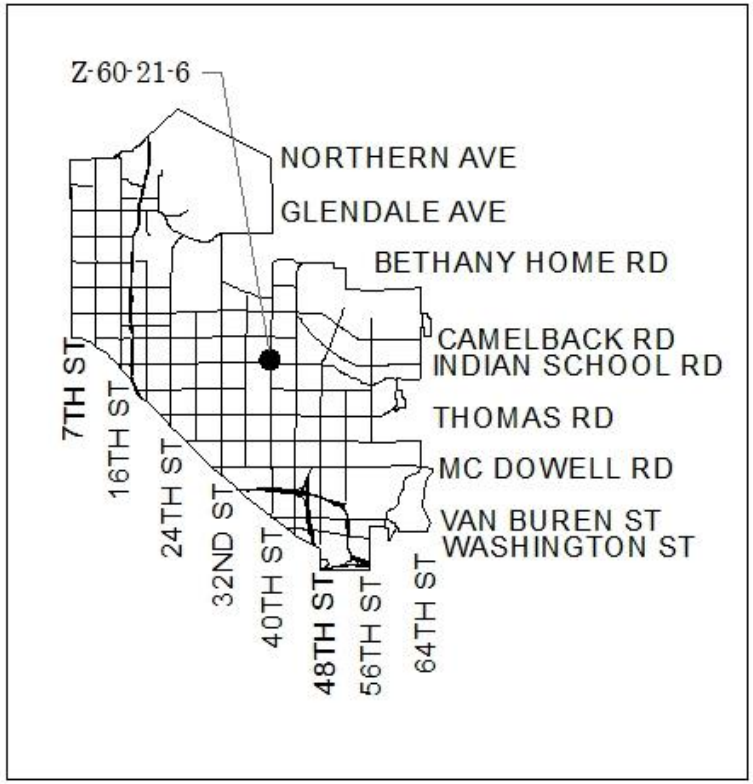
EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA:

Zoning Case Number: Z-60-21-6
Zoning Overlay: N/A
Planning Village: Camelback East





NOT TO SCALE

N

Drawn Date: 12/28/2021

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City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report: Z-60-21-6
December 1, 2021

Camelback East Village Planning Committee **Meeting Date**	December 7, 2021
Planning Commission **Hearing Date**	January 6, 2022
Request From:	R1-6 (Single-Family Residence District) (0.21 acres) and R-3 (Multifamily Residence District) (0.42 acres)
Request To:	R-3 (Multifamily Residence District) (0.63 acres)
Proposed Use	Multifamily residential
Location	Approximately 65 feet west of the southwest corner of 40th Street and Monterosa Street
Owner	Geoff Edlund, Chapter 2, LLC
Applicant/Representative	Brian Greathouse, Burch & Cracchiolo, PA
Staff Recommendation	Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation		Residential 3.5 to 5 dwelling units per acre	
Street Map Classification	Monterosa Street	Local Street	25-foot south half street

CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.

The proposal seeks to develop two vacant lots and a single-family residential property into a townhome-style multifamily residential development. This will provide additional housing options in the neighborhood while remaining consistent with the scale and character of the area. The proposal will also provide an appropriate transition from the commercial uses to the east and south of the site.

CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS CORE VALUE; CERTAINTY & CHARACTER, DESIGN PRINCIPLE: Create new development or redevelopment that is sensitive to the scale and character of the surrounding neighborhoods and incorporates adequate development standards to prevent negative impact(s) on the residential properties.

The proposed development is sensitive to the scale and character of the surrounding neighborhood with a maximum building height of two stories, mid-century modern architecture, and front-facing patios. Further, the development will incorporate standards to buffer itself from the adjacent properties such as enhanced tree plantings along its street frontage and perimeter setbacks, as well as providing all vehicular access from the alley to the south of the site.

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREES AND SHADE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.

As stipulated, the proposed development will provide large caliper trees to be planted adjacent to the public sidewalk along Monterosa Street, along both side perimeters, and within the surface parking area to the rear of the site.

Applicable Plan, Overlays, and Initiatives
Housing Phoenix – See Background Item No. 6.
Tree and Shade Master Plan – See Background Item No. 7.
Complete Streets Guiding Principles – See Background Item No. 8.
Comprehensive Bicycle Master Plan – See Background Item No. 9.
Zero Waste PHX – See Background Item No. 10.

Surrounding Land Uses/Zoning		
	Land Use	**Zoning**
On Site	Single-family residential, vacant lots	R1-6, R-3
North (Across Monterosa Street)	Single-family residential	R1-6
South	Restaurant, yoga studio	C-2
East	Dentist office	C-O
West	Single-family residential	R1-6

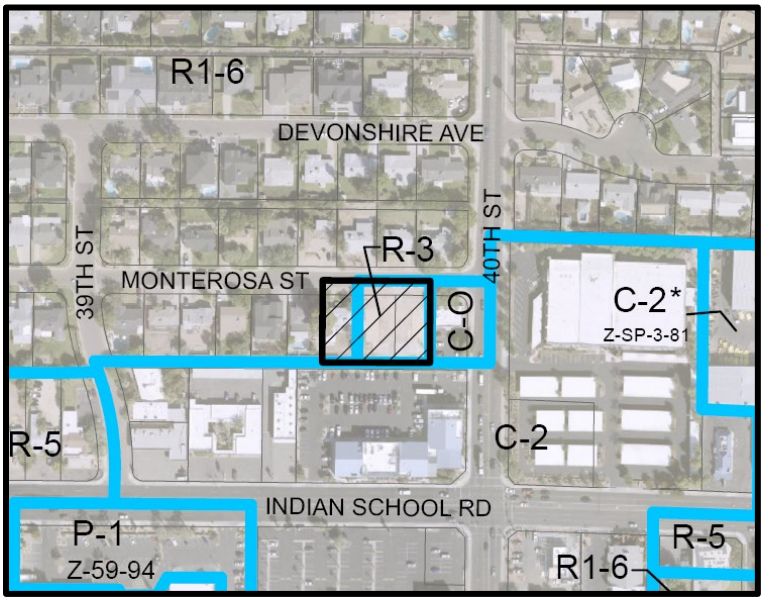
R-3 (Multifamily Residence District) Planned Residential Development Option		
Standards	**Requirements**	**Provisions on the Proposed site Plan**
Maximum dwelling unit density	15.23 dwelling units per acre; 17.40 dwelling units per acre with bonus	12 dwelling units per acre – Met
Minimum perimeter standards		
Minimum building setbacks	20 feet adjacent to a public street; this area is to be in common ownership unless lots front on the perimeter public street; 15 feet adjacent to property line	20 feet adjacent to Monterosa Street – Met 15 feet adjacent to east and west property lines – Met 36 feet from south property line – Met
Minimum landscape setbacks	North: 20 feet South, east, and west: 5 feet	North: 20 feet – Met East and west: 15 feet – Met South: 0 feet – Not met*
Maximum height	2 stories or 30 feet for first 150 feet; 1-foot in 5-foot increase to 48 feet high, 4-story maximum**	27 feet – Met
Maximum lot coverage	45%	44.14% – Met
Minimum common areas	5% of gross area	5.1% – Met
Minimum parking	1 space per 2-bedroom unit (12 required) 0.5 guest spaces per unit (4 required)	16 spaces – Met

*Site plan modification or variance required
**There shall be a 15-foot maximum height within ten feet of a single-family zoned district, which height may be increased one foot for each additional one foot of building setback to the maximum permitted height.

Background/Issues/Analysis

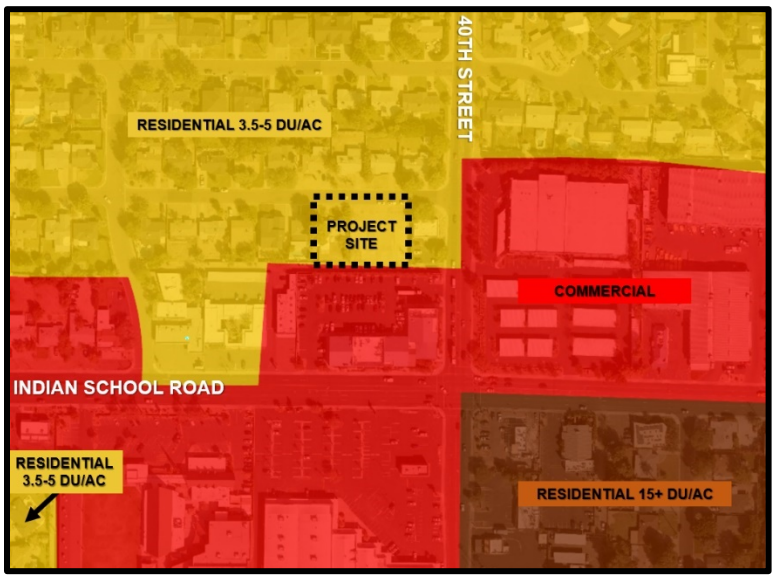
SUBJECT SITE

1. This request is to rezone a 0.63-acre site located approximately 65 feet west of the southwest corner of 40th Street and Monterosa Street from 0.21 acres of R1-6 (Single-Family Residence District) and 0.42 acres of R-3 (Multifamily Residence District) to R-3 (Multifamily Residence District) to allow a multifamily residential development.



Aerial Map
Source: City of Phoenix Planning and Development Department

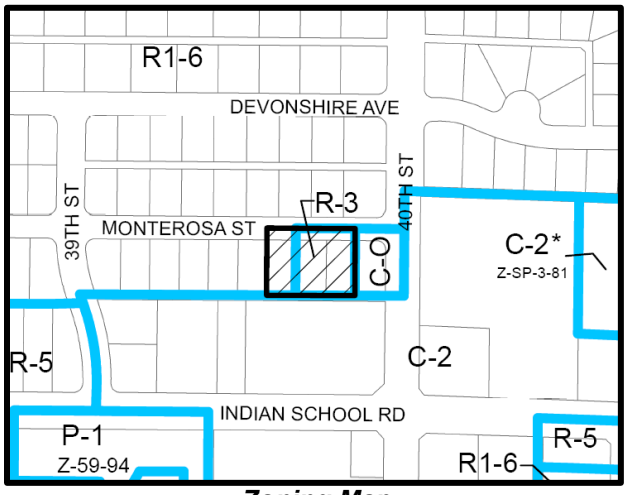
2. The site has a General Plan Land Use Map designation of Residential 3.5 to 5 dwelling units per acre. The same designation exists to the north, east, and west of the site. The property to the south of the site is designated Commercial, as are the properties to the east of the site, across 40th Street. The proposal is not consistent with the Residential 3.5 to 5 dwelling units per acre designation. However, as the site is under 10 acres, a General Plan Amendment is not required. The proposed zoning district will provide a land use transition from the higher intensity Commercial designations to the south and east to the single-family residential neighborhood.



General Plan Land Use Map
Source: City of Phoenix Planning and Development Department

EXISTING CONDITIONS & SURROUNDING ZONING

3. The site consists of two vacant lots that are zoned R-3 (Multifamily Residence District) and one existing single-family residence zoned R1-6 (Single-Family Residence District). The proposal seeks to rezone all three properties to R-3 to be consistent with the existing zoning on the two vacant properties and develop a multifamily residential project. The zoning of the single-family neighborhood permits a maximum building height of 2 stories and 30 feet. The proposal will be limited to the same maximum height standard as the single-family residential neighborhood to ensure compatibility in scale and character.



Zoning Map
Source: City of Phoenix Planning and Development Department

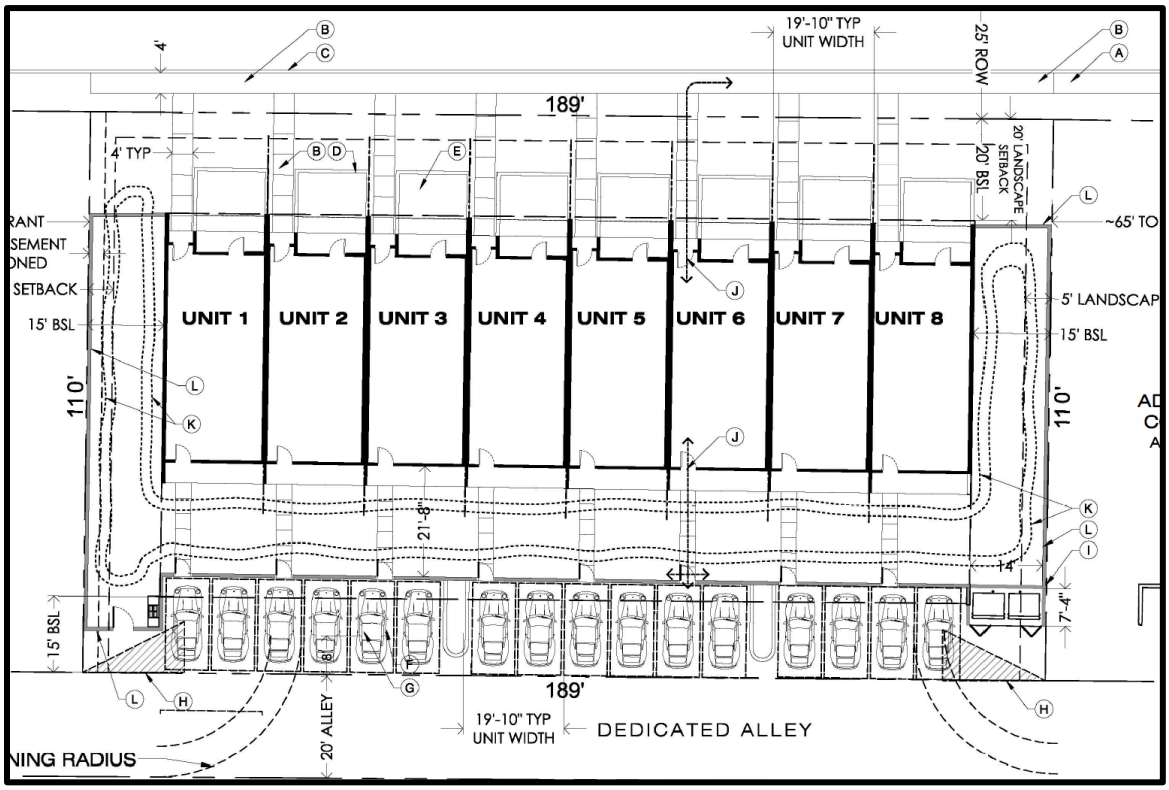
To the east of the site is a dentist's office zoned C-O (Commercial Office – Restricted Commercial District) and to the south is a mixed-use retail center zoned C-2 (Intermediate Commercial District) that contains restaurants and other businesses such as a yoga studio. The parking lot that serves this retail center is directly adjacent to the subject site. The proposal for a two-story multifamily residential development will provide a transition from the commercial uses to the single-family residential homes.



Current site conditions
Source: Google Street and Aerial View

PROPOSAL

4. The proposed site plan depicts an eight-unit multifamily residential development that prioritizes the pedestrian environment along Monterosa Street by providing pedestrian-only access to individual units from the street. All vehicular access and parking is proposed on the southern portion of the site, where it will be accessed through the adjacent alley. Vehicular maneuvering in the alleyway is not permitted per the Phoenix Zoning Ordinance and will thus require that the developer obtain a variance. As such, staff is not recommending general conformance to the site plan. The surface parking spaces will be separated from the buildings with a wall but will be accessible from each individual unit through gates for every two spaces. There will also be a community entrance gate from the alley on the southwestern portion of the site.



Proposed Site Plan
Source: Jason Comer Architect

The proposal includes front-facing patios in conjunction with the front pedestrian entrances, which will be connected to the public sidewalk via individual pathways. To ensure a walkable and pedestrian-friendly streetscape, these elements are addressed in Stipulation Nos. 2 and 3. Staff is recommending that the required landscape setback along Monterosa Street be planted with large caliper single-trunk trees to provide shade to the public sidewalk. This is addressed in Stipulation No. 4. Staff is further recommending that additional large-caliper trees

be planted along both side yard setbacks to provide buffering from neighboring properties. This is addressed in Stipulation No. 5.

5. The proposed building elevations depict a townhome-style development with a maximum building height of two stories and approximately 27 feet. The front (north) elevations, which face Monterosa Street, depict primary entryways for each individual unit, as well as ground-level doors to access front patios. Each unit will have a second-floor balcony facing the street, and all are clearly identifiable as individual residences with vertical architectural separations. The proposed development is of the mid-century modern architectural style.



Proposed Building Elevations
Source: Jason Comer Architect

Staff is recommending general conformance to the building elevations due to the small-scale residential character depicted, as well as the maximum building height, which is compatible with the surrounding area and will provide an appropriate transition and a buffer from adjacent commercial uses to the single-family neighborhood. This is addressed in Stipulation No. 1. Stipulation Nos. 1.a. and 1.b. specifically address the most desirable elements from the building elevations, which are the building height and the clearly identifiable pedestrian entryways along Monterosa Street.

AREA PLANS, OVERLAY DISTRICTS, AND INITIATIVES

6. **Housing Phoenix**

In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with a vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's

rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing. The proposed development supports the Plan's goal of preserving or creating 50,000 housing units by 2030 by contributing to a variety housing types that will address the supply shortage at a more rapid pace while using vacant land in a more sustainable fashion.

7. **Tree and Shade Master Plan**

The Tree and Shade Master Plan has a goal of treating the urban forest as infrastructure to ensure that trees are an integral part of the city's planning and development process. By investing in trees and the urban forest, the city can reduce its carbon footprint, decrease energy costs, reduce storm water runoff, increase biodiversity, address the urban heat island effect, clean the air, and increase property values. In addition, trees can help to create walkable streets and vibrant pedestrian places. Staff is recommending that required landscape setbacks along the north, east, and west property lines be planted with large caliper shade trees to maximize shade coverage on site and on the public sidewalk. Staff is also recommending that the surface parking area be shaded with a combination of structural and tree shade. These are addressed in Stipulation Nos. 4 through 6.

8. **Complete Streets Guiding Principles**

In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. To provide a safe and comfortable pedestrian environment along Monterosa Street, staff is recommending that the developer construct a minimum five-foot-wide sidewalk for the length of the property, and that individual residential units have pedestrian-only access from this street, with front-facing patio elements and pedestrian pathways to connect unit entrances to the public sidewalk. Staff is further recommending robust tree plantings within the landscape setback along Monterosa Street to provide shade to the public sidewalk. These recommendations are addressed in Stipulation Nos. 2 through 4.

9. **Comprehensive Bicycle Master Plan**

The City of Phoenix adopted the Comprehensive Bicycle Master Plan in 2014 to guide the development of its bikeway system and supportive infrastructure. The Comprehensive Bicycle Master Plan supports options for both short- and long-term bicycle parking as a means of promoting bicyclist traffic to a variety of destinations. As stipulated, the project will incorporate bicycle parking spaces for the community, which will be installed per the requirements in the city's Walkable Urban (WU) Code. This is addressed in Stipulation No. 7.

10. **Zero Waste PHX**
The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and Section 716 of the Phoenix Zoning Ordinance expand its recycling and other waste diversion programs. Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial and mixed-use developments meeting certain criteria. The proposal with provide trash and recycling collection on site in community waste collection containers, which will be picked up from the alley.

COMMUNITY INPUT SUMMARY

11. At the time this staff report was written, staff received one letter of opposition citing concerns with the lack of compatibility with the single-family neighborhood and that this project would set a precedent for similar future developments in the area.

INTERDEPARTMENTAL COMMENTS

12. The Phoenix Fire Department has noted that they do not anticipate any problems with this case and that the site and/or buildings shall comply with the Phoenix Fire Code.

13. The Public Transit Department has requested that the developer provide clearly defined, accessible pathways that connect all building entrances and exits, and public sidewalks, and where pedestrian paths cross drive aisles, that they be constructed of materials that visually contrast with parking and drive aisle surfaces. These are addressed in Stipulation Nos. 8 and 9.

14. The Street Transportation Department has required that the developer pave the adjacent alley for the whole length of the property to 40th Street, and that all streets be constructed with all required improvements and comply with current ADA standards. These are addressed in Stipulation Nos. 10 and 11.

15. The Aviation Department requires that the property owner record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of City of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property. The Aviation Department also requires that the project receive a No Hazard Determination from the FAA and that the property owner grant and record an avigation easement. These are addressed in Stipulation Nos. 12 through 14.

OTHER

16. The site has not been identified as being archaeologically sensitive. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within 33 feet of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to

properly assess the materials. This is addressed in Stipulation No. 15.

17. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

Findings

1. The proposed development is compatible in scale and character with the surrounding neighborhood and features clearly identifiable pedestrian entrances and building height consistent with single-family development.

2. The proposed development will provide a buffer and an appropriate transition from the commercial uses to the south and east to the site, from the existing single-family neighborhood.

3. As stipulated, the proposed development will provide ample tree shade throughout the site and along the public sidewalk along Monterosa Street.

Stipulations

1. The development shall be in general conformance with the elevations date stamped September 2, 2021, with specific regard to the following and as approved by the Planning and Development Department.

    a. There shall be a maximum building height of 2 stories and 30 feet.

    b. Individual entryways on front (Monterosa) elevation shall be clearly identifiable as the primary pedestrian access for residential units.

2. The developer shall construct a minimum 5-foot-wide public sidewalk along the south side of Monterosa Street, as approved by the Planning and Development Department.

3. The primary entryways into residential units shall face Monterosa Street. These entryways shall incorporate a patio or seating court area, as approved by the Planning and Development Department.

4. The required landscape setback along Monterosa Street shall include minimum 3-inch caliper single-trunk large canopy shade trees planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department. Five, five-gallon shrubs per tree, and additional shrubs or live groundcover shall provide minimum 75 percent live cover at maturity, as approved by the Planning and Development Department.

5. A minimum 10-foot landscape setback shall be required along the west and east property lines. These areas shall be planted with minimum 2-inch caliper shade trees placed 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

6. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper drought-tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25 percent shade at maturity, as approved by Planning and Development Department. Shade may be provided with a combination of trees and structural shade.

7. A minimum of two bicycle parking spaces shall be provided through Inverted U and/or artistic racks located on the southwest portion of the site, to the north of the pedestrian entry gate depicted on the site plan date stamped September 2, 2021. These parking spaces shall be installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.

8. Clearly defined, accessible pedestrian pathways shall be provided to connect building entrances and public sidewalks, using the most direct route for pedestrians, as approved by the Planning and Development Department.

9. Where pedestrian pathways cross drive aisles, they shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.

10. The developer shall provide 20 feet of paving per the local street requirements for the alley from the western boundary of the property to 40th Street, as approved by the Planning and Development Department.

11. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.

12. The developer shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.

13. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA’s Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.

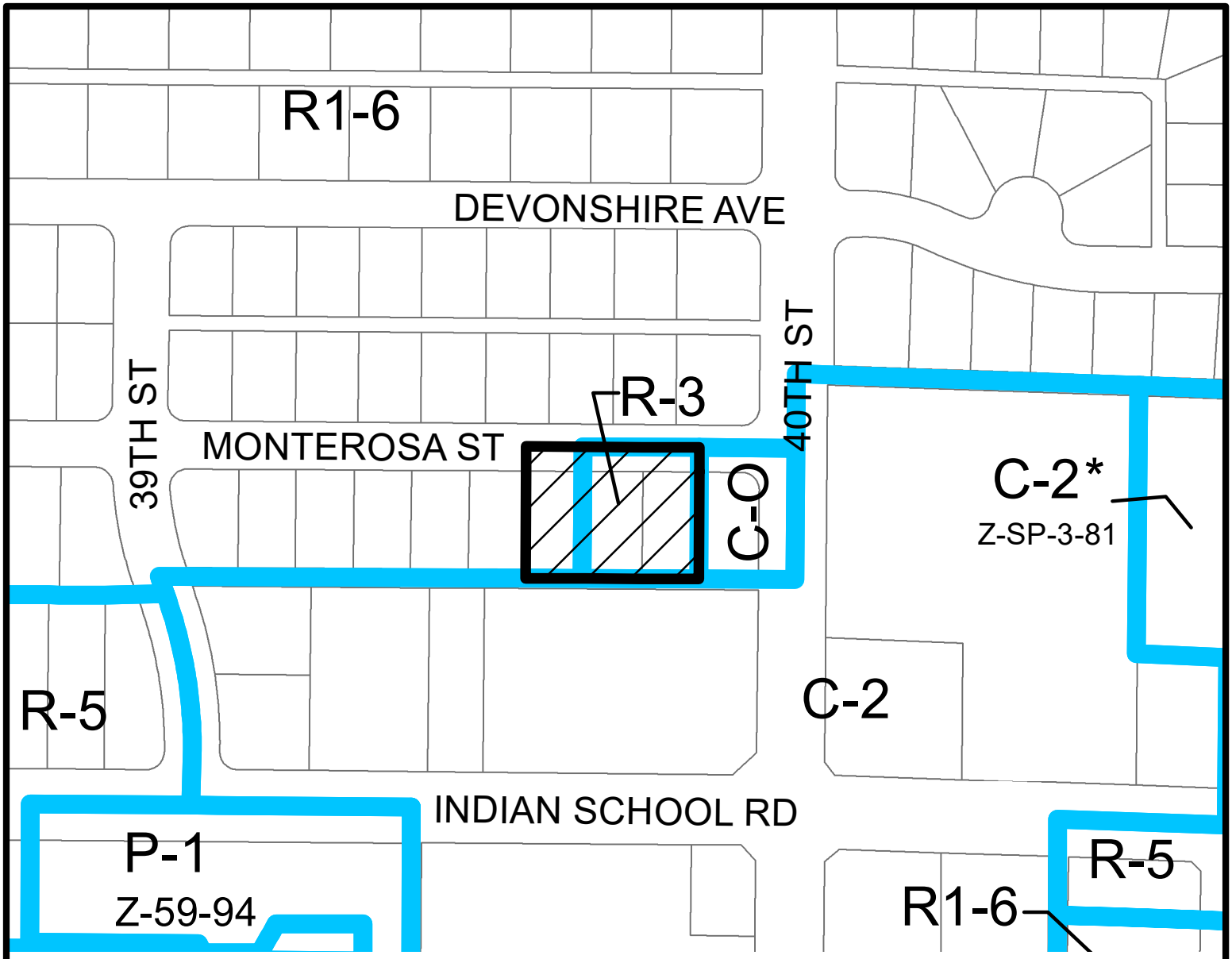
14. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

15. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

Writer
Sofia Mastikhina
November 5, 2021

Team Leader
Samantha Keating

Exhibits
Sketch Map
Aerial
Site plan date stamped September 2, 2021 (1 page)
Elevations date stamped September 2, 2021 (1 page)
Community correspondence (1 page)

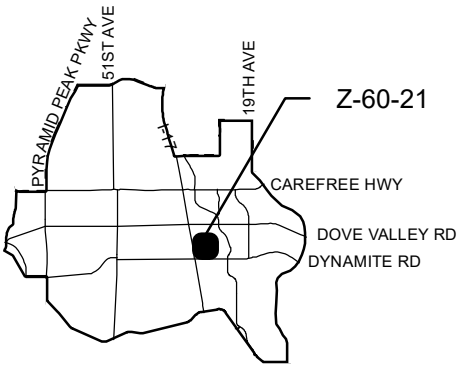


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CAMELBACK EAST VILLAGE

CITY COUNCIL DISTRICT: 6



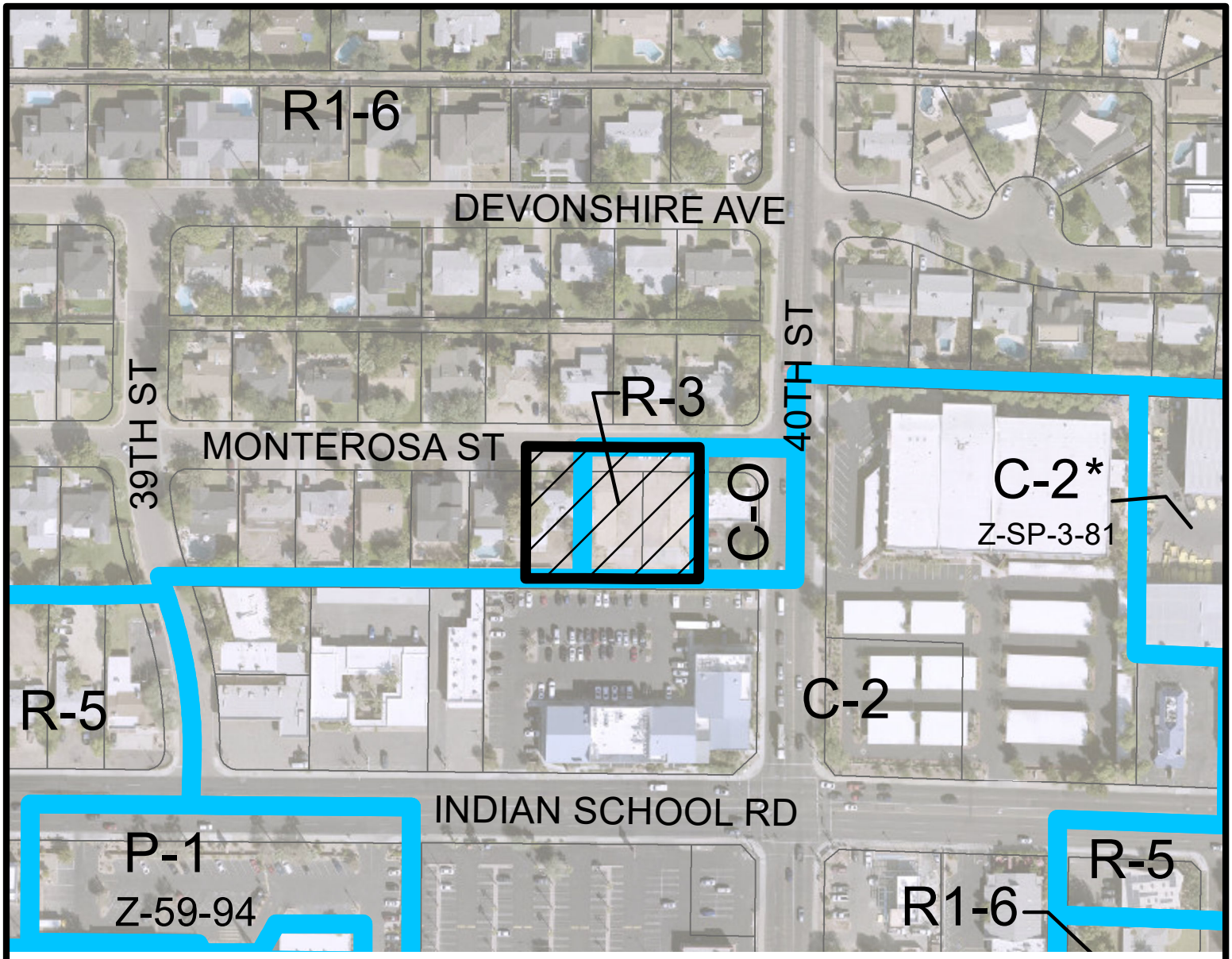
City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME: Brian Greathouse, Burch & Cracchiolo, PA	**REQUESTED CHANGE:**
APPLICATION NO. Z-60-21	DATE: 9/23/2021 REVISION DATES:
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 0.63 Acres	AERIAL PHOTO & QUARTER SEC. NO. QS 17-36 / ZONING MAP H-10
	FROM: R1-6 (0.21 a.c.) R-3 (0.42 a.c.)
	TO: R-3 (0.63 a.c.)

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
R1-6, R-3	1, 6	1, 7
R-3	9	11

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

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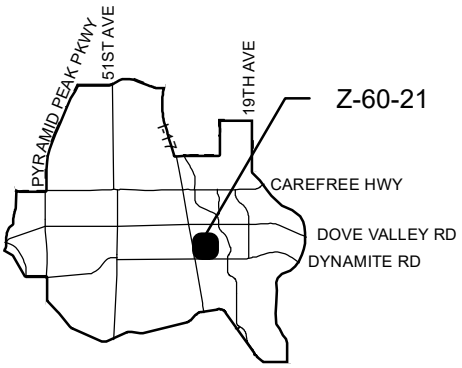


Miles

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CAMELBACK EAST VILLAGE

CITY COUNCIL DISTRICT: 6



City of Phoenix
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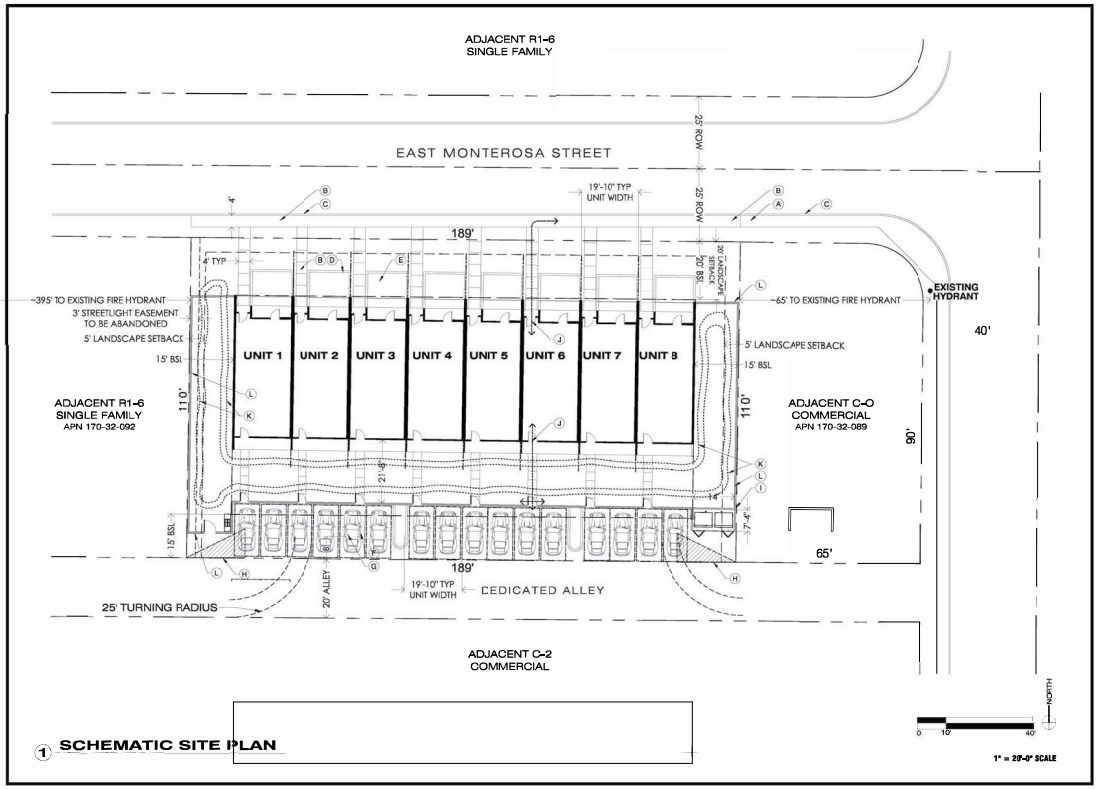
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R-3	9	11

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

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1 SCHEMATIC SITE PLAN

1" = 20'-0" SCALE

KEYNOTES

- (A) EXISTING 48" WIDE CONCRETE SIDEWALK
- (B) NEW 48" WIDE CONCRETE SIDEWALK
- (C) EXISTING CONCRETE ROLLED CURB
- (D) 36" HIGH CMU SCREEN WALL, TYPICAL EACH UNIT
- (E) OPEN PATIO, TYPICAL EACH UNIT
- (F) ALLEY LOADED NON-DEDICATED CARPORTS (16 TOTAL; 9'-6" x 19'-4" CLEAR AT EACH SPACE)
- (G) CARPORT COLUMNS LOCATED 8' CLEAR OF ALLEY, 4' SETBACK REQ'D
- (H) 10'x20' VISIBILITY TRIANGLE
- (I) "TIPPER" REFUSE ENCLOSURE, 5'-4" HIGH CMU WALLS
- (J) ADA PATH FROM INDIVIDUAL UNIT TO PUBLIC ROW OR PUBLIC SPACE & PARKING (TYPICAL AT EACH UNIT)
- (K) CONCEPTUAL CONTOUR OF RETENTION BASIN
- (L) 5'-0" HIGH CMU FENCE
- (m) COMMON BBQ AMENITY AREA

PROJECT DESCRIPTION

EIGHT NEW 2-STORY MULTIFAMILY TOWNHOMES (PLANNED RESIDENTIAL DEVELOPMENT) WITH INDIVIDUAL ALLEY-LOADED DETACHED CARPORTS FOR EACH UNIT

TOWNHOME TYPE R-2 OCCUPANCY
TYPE VB CONSTRUCTION, SPRINKLERED
MAX 28'-0" HEIGHT TO TOP OF PARAPET, 25'-6" TOP OF ROOF

LEGAL DESCRIPTION

LOTS 2, 3, AND 4, BLOCK 10, OF RANCHO DEL MONTE - UNIT TWO, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, IN BOOK 50 OF MAPS, PAGE 9.

PROJECT INFORMATION

OWNER	CHAPTER 2, LLC, GEOFF EDLUND
PROJECT ADDRESS	3933 / 3937 / 3943 EAST MONTEROSA STREET PHOENIX, ARIZONA 85018
PARCELS	APN 170-32-090, 170-32-091, 170-32-092 (LOT COMBINATION PROPOSED)
MCR	50-09, SUBDIVISION PLAT APPROVED IN 1951
SUBDIVISION	RANCHO DEL MONTE UNIT 2, LOTS 2, 3 & 4
EXISTING ZONING	LOT 2 & 3 R-3 LOT 4 R1-6
PROPOSED ZONING	R-3 PLANNED RESIDENTIAL DEVELOPMENT SECTION 615, TABLE B, OPTION (c)

AREA CALCULATIONS

PROTOTYPE UNIT (TYPICAL OF EIGHT UNITS):

1ST FLOOR	839 SF LIVABLE
2ND FLOOR	789 SF LIVABLE
DETACHED CARPORT	282 SF (EXCLUDES FIRST 3' OH)
FRONT PORCH	26 SF (EXCLUDES FIRST 3' ON)
TOTAL LIVABLE PER UNIT	1,628 SF, TWO BEDROOM PER UNIT

PROJECT TOTALS (ALL UNITS):

1ST FLOORS	6,712 SF LIVABLE
2ND FLOORS	6,312 SF LIVABLE
DETACHED CARPORT	2,256 SF
FRONT PORCHES	208 SF
TOTAL LIVABLE AREA	13,024 SF

PARKING CALCULATION

EIGHT TWO-BEDROOM UNITS

1.5 SPACES PER 2BR UNIT = 12 SPACES REQ'D
0.5 GUEST SPACES PER 2BR UNIT = 4 SPACES REQ'D

16 TOTAL SPACES REQUIRED
16 UNRESERVED SPACES PROVIDED

LOT COVERAGE
1,147 x 8 UNITS = 9,176 SF COVERAGE
9,176 / 20,790 = 44.14%

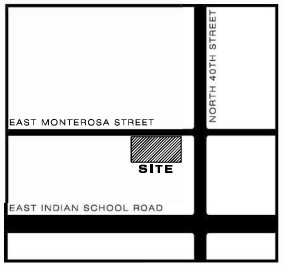
28'-6" TOP OF PARAPET
TWO STORIES

DENSITY

LOT	NET LOT SIZE	GROSS LOT SIZE
170-32-090	6,930 SF	9,135 SF
170-32-091	6,930 SF	9,135 SF
170-32-092	6,930 SF	9,135 SF
	20,790 SF	27,405 SF
	0.48 ACRES	0.63 ACRES

8 UNITS / 0.63 ACRES = 12 DU/AC PROVIDED
MAXIMUM 15.23 DU/AC PERMITTED, UP TO 17.45 DU/AC WITH BONUS

OPEN SPACE CALCULATION
27,405 SF GROSS SITE AREA x 5% = 1,371 SF OPEN SPACE REQUIRED
1,400 SF PROVIDED



PROJECT TEAM

OWNER/DEVELOPER

GEOFF EDLUND
CHAPTER 2, LLC
1265 AIRPORT ROAD
BOULDER CITY, NEVADA 89005
(206) 683-7705
GEOFF@PAPILLION.COM

ZONING ATTORNEY

EDWIN C. BULL
BURCH & CRACCHIOLO
1850 NORTH CENTRAL AVENUE SUITE 1700
PHOENIX, ARIZONA 85004
(602) 274-7611
EBULL@BCATTORNEYS.COM

ARCHITECT

JASON COMER, ARCHITECT
3104 EAST CAMELBACK ROAD #126
PHOENIX, ARIZONA 85016
(602) 373-7934
JASONCOMER@GMAIL.COM

CITY OF PHOENIX
SEP 02 2021
Planning & Development Department

MONTEROSA TOWNHOMES

3933 / 3937 / 3943 EAST MONTEROSA STREET
PHOENIX, ARIZONA 85018

JASON COMER ARCHITECT
3104 EAST CAMELBACK ROAD #126
PHOENIX, ARIZONA 85018

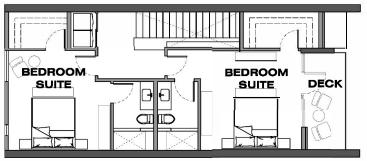
SCHEMATIC
NOT FOR CONSTRUCTION

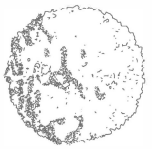
ENTITLEMENTS PHASE
DRAWING ISSUED
MARCH 2, 2021
REVISION HISTORY

CONCEPTUAL SITE PLAN
Z1.0

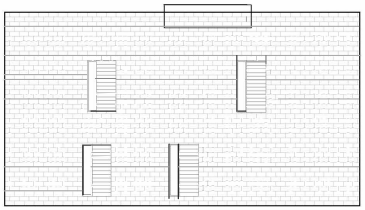
KIVA 20-4716
SDEV 2008054
QS 17-36
PAPP 2015697
PRLM
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CITY OF PHOENIX
SEP 02 2021
Planning & Development Department

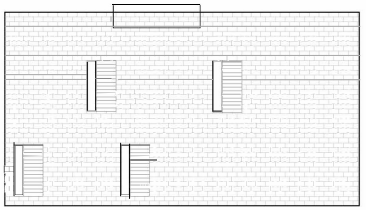




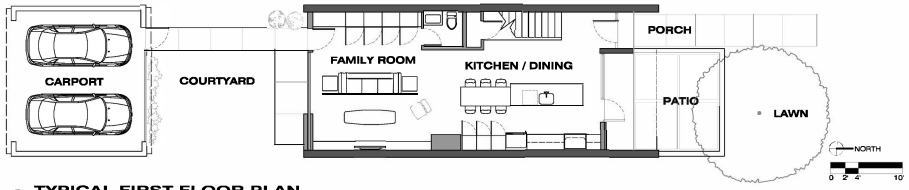
2 TYPICAL SECOND FLOOR PLAN



4 WEST ELEVATION
1/8" = 1'-0" SCALE



5 EAST ELEVATION
1/8" = 1'-0" SCALE



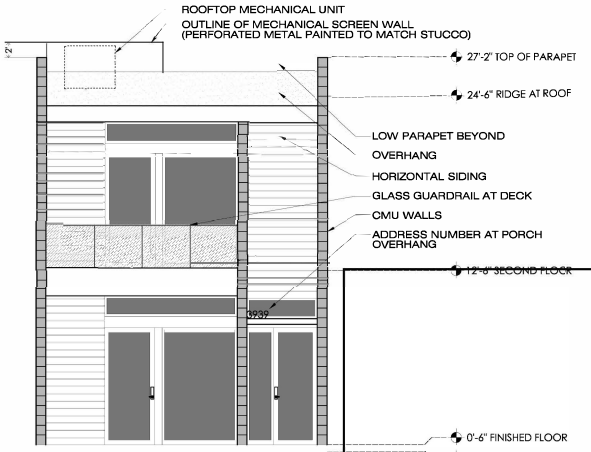
6 TYPICAL FIRST FLOOR PLAN
1/8" = 1'-0" SCALE



3 SOUTH (ALLEY) ELEVATION
1/8" = 1'-0" SCALE



2 FRONT (MONTEROSA) ELEVATION
1/8" = 1'-0" SCALE



1 TYPICAL UNIT STREET ELEVATION
1/4" = 1'-0" SCALE

KIVA 20-4715
SDEV 2008054
QS 17-36
PAPP 2015697
PRLM
SCMJ

MONTEROSA TOWNHOMES

3933 / 3937 / 3943 EAST MONTEROSA STREET
PHOENIX, ARIZONA 85018

JASON COMER ARCHITECT
3104 EAST CAMELBACK ROAD #126
PHOENIX, ARIZONA 85018

SCHEMATIC
NOT FOR CONSTRUCTION

ENTITLEMENTS PHASE
DRAWING ISSUED
MARCH 2, 2021
REVISION HISTORY

Sofia Mastikhina

From: Josiah Roberts <ulty.player@gmail.com>
Sent: Thursday, October 28, 2021 10:44 AM
To: Sofia Mastikhina
Subject: Case No. Z-60-21, SWCC of 40th St and Monterosa

Follow Up Flag: Follow up
Flag Status: Flagged

Sofia,

I received an informational packet about this case via mail. My wife and I live in the area, a couple blocks north on Heatherbrae Drive. I attended a portion of the Zoom meeting on October 19, but had trouble getting unmuted to comment. I'm hoping it's not too late.

We have concerns about the proposed rezoning and planned development. We bought our home in 2008 because we like the larger lots and open feel of the neighborhood. I think many of our neighbors would say the same. This rezoning and proposed development would change the character of the immediate neighborhood. Although we are not directly impacted, we are concerned this could set a precedent that would allow for similar developments within the neighborhood in the future.

The area has already changed considerably since 2008. There are more businesses in the area and we are seeing significantly more traffic, especially on 40th Street. This is to be expected due to the desirability of the area. However, we would like the character of our neighborhood to be maintained. The proposed development clearly changes the density and I see no advantage other than allowing the developer to make a bigger profit (and maybe more property tax income for the County).

I urge the City to deny this request and maintain the three lots as single family homes. The developer can build three new homes and make a good profit.

If you have questions, please feel free to contact me.

Josiah Roberts
602-690-6428
3917 E Heatherbrae Drive

Camelback East
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-60-21-6

Date of VPC Meeting	December 7, 2021
Request From	R1-6 (Single-Family Residence District) and R-3 (Multifamily Residence District)
Request To	R-3 (Multifamily Residence District)
Proposed Use	Multifamily residential
Location	Approximately 65 feet west of the southwest corner of 40th Street and Monterosa Street
VPC Recommendation	Approval per the staff recommendation with a modification
VPC Vote	15-0

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Ms. Sofia Mastikhina, staff, provided an overview of the request, including the location, current and surrounding zoning, and General Plan Land Use Map designation. She explained that the request covers three current residential lots, two of which are already zoned R-3 (Multifamily Residence District). The request is to rezone one lot that is zoned R1-6 (Single-Family Residence District) to the same R-3 zoning as the other two lots. At staff's request, the applicant agreed to include all three lots to facilitate stipulating the entire site for improvements. She then presented the proposed site plan and elevations, noting the compatibility in scale and character with the surrounding neighborhood. She stated that the proposal will provide a transition from the commercial uses to the south to the residential neighborhood to the north. **Ms. Mastikhina** then presented the staff recommendation for approval, along with the recommended stipulations.

Mr. Brian Greathouse, representative with Burch & Crachiollo, provided an overview of the request, noting that they had agreed to include all three lots in the rezoning request to ensure transparency with the community as well as to allow staff to stipulate improvements such as landscaping and walkability throughout the entire site. He explained that the two lots zoned for multifamily are currently vacant and the previous buildings were demolished approximately five years ago. He then noted that the existing single-family residence on the third lot is uninhabitable and in no condition to sell or rent. He then explained that this site is in an interesting location, with a dentist office to the east and restaurants and a parking lot to the south, and that the believes the proposed townhomes are an appropriate transitional land use. He stated that the

building elevations were designed by local architect Jason Comer, and that the interior will be designed by Joel Contreras, both of whom have designed high quality development projects throughout the city. He then presented conceptual renderings of the project, noting the unique architecture and walkability and pedestrian-friendliness. He addressed some community concerns that arose through the process. The first was regarding on-street parking, to which he replied that each unit will have two designated parking spaces in a carport in the rear of the site, so residents will not have a need to park on Monterosa Avenue. The second concern was that they were proposing to rezone all three lots to allows townhomes, to which he clarified that only one lot will effectively be rezoned, while the other two already have the multifamily designation. He then presented the proposed floor plans of the units and asked if the committee had any questions.

Dawn Augusta asked if there had been any consideration or traffic study of the current access conditions to the rear alley, noting that northbound turns would exacerbate already problematic traffic patterns. **Greathouse** replied that due to the small increase in permissible units, a traffic study was not conducted nor was it required by the city.

PUBLIC COMMENT

Geoff Mathieux, neighborhood resident, expressed his support for the proposal, stating that the high-quality design and pedestrian-friendliness will add value to the neighborhood and that it will provide a buffer from the parking areas to the south.

William Jay Lichtsinn stated that the vacant lots have been used for overflow parking for the adjacent businesses and expressed concern that this overflow parking will now take place along the street, inconveniencing the neighborhood. **Greathouse** replied that the property owner has worked with the Police Department to address the illegal parking and homeless encampments for months, and that there is already overflow parking on the street from the dentist and restaurants. He stated that the townhomes will not change this condition, as they cannot monitor public streets where there are no parking restrictions.

Chair Swart stated that there was a case on 40th Street and Indian School Road with the same concern, which is that the expansion of the business there would exacerbate on-street parking. However, those property owners did not have any control over public streets, much like in this case. He stated that this will force the city to address long-overdue issues with on-street parking issues.

MOTION:

Vic Grace made a motion to approve this case per the staff recommendation. **Chair Swart** requested an amendment to the motion to include a modification to increase the required number of bicycle parking space from two to eight. **Grace** accepted the amendment. **Ashley Nye** seconded the motion.

COMMITTEE DISCUSSION

Chair Swart offered to help the applicant with parking and safety enforcement in the area, as he is very involved with these matters.

Augusta expressed her support for the multifamily rezoning but reiterated her concern with northbound traffic on 40th Street attempting to turn left into the alley where the parking is located, as the turn area coincides with the left turn lane onto Indian School

Road. She asked that the applicant look into a different parking arrangement, as this will create problems. **Chair Swart** asked staff if the Street Transportation Department had provided feedback on this case. **Mastikhina** stated that the only comment from that department was regarding paving of the alley.

Christina Eichelkraut asked that the applicant address a question brought up by resident Pam MacMillan in her letters to the city regarding if there will be individual back yards in the rear that residents can spend time in, instead of being on their street-facing balconies. The resident's concern was privacy intrusion into the single-family homes to the north of the project. She then stated that she has no problems with the proposal, but simply wanted to ensure that all community questions and concerns were addressed. **Greathouse** stated that the rear yard will be commonly held and will have seating and barbecue areas for resident use.

Nye seconded committee member Augusta's concern regarding the northbound turn into the alley and asked that the applicant work with the Street Transportation Department to address this concern and come up with an alternative access solution. She also mentioned that there is an avid biking community in this area and that residents will likely receive guests who bike to the property. She suggested that additional bicycle parking spaces be provided in the common area to accommodate this. **Greathouse** stated that his client is happy to add more bicycle parking spaces.

Grace stated that, based on Google aerials, it looks like the previous structures on the site had a carport along the alley, so parking in that area was present before.

VOTE:
15-0; Motion passes with committee members Swart, Fischbach, Abbott, Augusta, Bayless, Czerwinski, Eichelkraut, Grace, McKee, Miller, Nye, O'Malley, Paceley, Rush, and Sharaby in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

The Camelback East Village Planning Committee recommended approval of the case per the staff recommendation with a modification to Stipulation No. 7 to increase the number of bicycle parking spaces provided.

The following stipulations incorporate the changes approved by the Camelback East Village Planning Committee on December 7, 2021 with modifications in bold text:

1. The development shall be in general conformance with the elevations date stamped September 2, 2021, with specific regard to the following and as approved by the Planning and Development Department.

    a. There shall be a maximum building height of 2 stories and 30 feet.

    b. Individual entryways on front (Monterosa) elevation shall be clearly identifiable as the primary pedestrian access for residential units.

2. The developer shall construct a minimum 5-foot-wide public sidewalk along the south side of Monterosa Street, as approved by the Planning and Development Department.

3. The primary entryways into residential units shall face Monterosa Street. These entryways shall incorporate a patio or seating court area, as approved by the Planning and Development Department.

4. The required landscape setback along Monterosa Street shall include minimum 3-inch caliper single-trunk large canopy shade trees planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department. Five, five-gallon shrubs per tree, and additional shrubs or live groundcover shall provide minimum 75 percent live cover at maturity, as approved by the Planning and Development Department.

5. A minimum 10-foot landscape setback shall be required along the west and east property lines. These areas shall be planted with minimum 2-inch caliper shade trees placed 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

6. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper drought-tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25 percent shade at maturity, as approved by Planning and Development Department. Shade may be provided with a combination of trees and structural shade.

7. A minimum of ~~two~~ **EIGHT** bicycle parking spaces shall be provided through Inverted U and/or artistic racks located on the southwest portion of the site, to the north of the pedestrian entry gate depicted on the site plan date stamped September 2, 2021. These parking spaces shall be installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.

8. Clearly defined, accessible pedestrian pathways shall be provided to connect building entrances and public sidewalks, using the most direct route for pedestrians, as approved by the Planning and Development Department.

9. Where pedestrian pathways cross drive aisles, they shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.

10. The developer shall provide 20 feet of paving per the local street requirements for the alley from the western boundary of the property to 40th Street, as approved by the Planning and Development Department.

11. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.

12. The developer shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.

13. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.

14. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

15. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

Attachment D

REPORT OF PLANNING COMMISSION ACTION
January 6, 2022

ITEM NO: 17	
	DISTRICT NO.: 6
SUBJECT:	
Application #:	Z-60-21-6
Location:	Approximately 65 feet west of the southwest corner of 40th Street and Monterosa Street
From:	R1-6 and R-3
To:	R-3
Acreage:	0.63
Proposal:	Multifamily Residential
Applicant:	Brian Greathouse, Burch & Cracchiolo, PA
Owner:	Chapter 2, LLC; c/o Geoff Edlund
Representative:	Brian Greathouse, Burch & Cracchiolo, PA

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:
Camelback East 12/7/2021 Approval, per staff recommendation with a modified stipulation. Vote: 15-0.

Planning Commission Recommendation: Approval, per the Camelback East Village Planning Committee recommendation with an additional stipulation.

Motion Discussion: N/A

Motion details: Commissioner Mangum made a MOTION to approve Z-60-21-6, per the Camelback East Village Planning Committee recommendation, with the additional stipulation as read into the record.

Maker: Mangum
Second: Johnson
Vote: 8-0
Absent: Shank
Opposition Present: Yes

Findings:

1. The proposed development is compatible in scale and character with the surrounding neighborhood and features clearly identifiable pedestrian entrances and building height consistent with single-family development.

2. The proposed development will provide a buffer and an appropriate transition from the commercial uses to the south and east to the site, from the existing single-family neighborhood.

3. As stipulated, the proposed development will provide ample tree shade throughout the site and along the public sidewalk along Monterosa Street.

Stipulations:

1. The development shall be in general conformance with the elevations date stamped September 2, 2021, with specific regard to the following and as approved by the Planning and Development Department.

    a. There shall be a maximum building height of 2 stories and 30 feet.

    b. Individual entryways on front (Monterosa) elevation shall be clearly identifiable as the primary pedestrian access for residential units.

2. The developer shall construct a minimum 5-foot-wide public sidewalk along the south side of Monterosa Street, as approved by the Planning and Development Department.

3. The primary entryways into residential units shall face Monterosa Street. These entryways shall incorporate a patio or seating court area, as approved by the Planning and Development Department.

4. The required landscape setback along Monterosa Street shall include minimum 3-inch caliper single-trunk large canopy shade trees planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department. Five, five-gallon shrubs per tree, and additional shrubs or live groundcover shall provide minimum 75 percent live cover at maturity, as approved by the Planning and Development Department.

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6. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper drought-tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25 percent shade at maturity, as approved by Planning and Development Department. Shade may be provided with a combination of trees and structural shade.

7. A minimum of ~~two~~ EIGHT bicycle parking spaces shall be provided through Inverted U and/or artistic racks located on the southwest portion of the site, to the north of the pedestrian entry gate depicted on the site plan date stamped September 2, 2021. These parking spaces shall be installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.

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11. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping, and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.

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13. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.

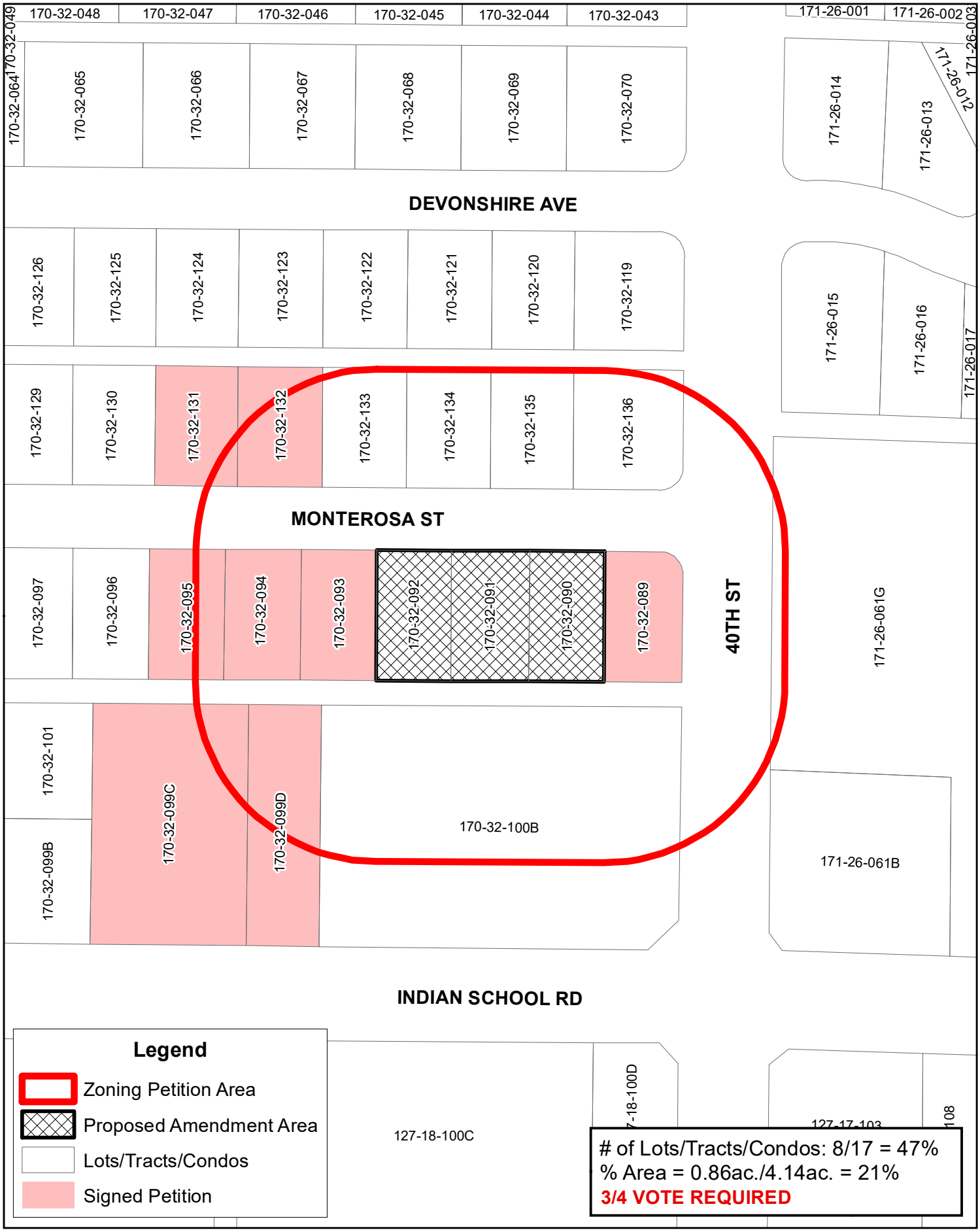
14. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

15. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

16. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS FORM. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 495-5622, TTY use 7-1-1.

Attachment E



0 37.5 75 Feet

Petition Verification Map for Z-60-21-6

Map prepared by City of Phoenix, Planning and Development Services Dept. 1/13/2022

CITY OF PHOENIX
PLANNING AND DEVELOPMENT DEPARTMENT

FORM TO REQUEST PC to CC **I HEREBY REQUEST THAT THE CC HOLD A PUBLIC HEARING ON:**					
APPLICATION NO/ LOCATION	**Z-60-21-6** Approximately 65 feet west of the southwest corner of 40th Street and Monterosa Street	***(SIGNATURE ON ORIGINAL IN FILE)***			
		opposition	**x**	**applicant**	
APPEALED FROM:	PC January 6, 2022	3927 East Monterosa Phoenix, AZ 85018			
	PC DATE	*STREET/ADDRESS/CITY/STATE/ZIP*			
TO PC/CC HEARING	CC February 2, 2022	Paul Sanchez 269-779-1521 Pasanchez500@gmail.com			
	CC DATE	*NAME / PHONE / EMAIL*			
REASON FOR REQUEST: Opposing rezone. (Petitions included)					
RECEIVED BY:	Kim Steadman	**RECEIVED ON:**	1/12/2022		

Alan Stephenson
Joshua Bednarek
Tricia Gomes
Racelle Escolar
Stephanie Vasquez
David Urbinato
Diana Hernandez
Vikki Cipolla-Murillo

Greg Harmon
Samantha Keating
Paul M. Li
Village Planner
GIS
Applicant

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

The **PLANNING COMMISSION** agenda for **January 6, 2022** is attached.

The **CITY COUNCIL** may approve the recommendation of the Planning Commission without further hearing **unless**:

1. A **REQUEST FOR A HEARING** by the **CITY COUNCIL** is filed within seven (7) days.

   There is a $630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. **January 13, 2022**.

   Any member of the public may, within seven (7) days after the Planning Commission's action, request a hearing by the City Council on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m. **January 13, 2022**.

2. A **WRITTEN PROTEST** is filed, no later than seven (7) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the property by area and number of lots, tracts, and condominium units within the zoning petition area have signed the petition. The zoning petition area includes both the area of the proposed amendment, and the area within 150 feet of the proposed amendment, including all rights-of-way. For condominium, townhouse and other types of ownership with common lands, authorized property owner signatures are required. Please see Planning and Development Department Staff for additional information prior to gathering signatures.

   To require a three-fourths vote of the City Council for approval, a written protest for applications on this agenda must be filed with the Planning and Development Department by 5:00 p.m. **January 13, 2022**

   The Planning and Development Department will verify ownership by protestors to determine whether or not a three-fourths vote will be required.

3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an $830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. **January 20, 2022**.

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

Z-60-21
APPLICATION NO.

Approximately 663' WEST of the southwest corner of 40th Street & Montezuma St.
LOCATION OF APPLICATION SITE

1/6/22
DATE APPEALED FROM

☑ OPPOSITION
☐ APPLICANT

Kim Steadman
PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

PAUL SANCHEZ
PRINTED NAME OF PERSON APPEALING

PS
SIGNATURE

3927 E. MONTEROSA
STREET ADDRESS

1/12/22
DATE OF SIGNATURE

PHX AZ 85018
CITY, STATE & ZIP CODE

269-779-1521
TELEPHONE NO.

pasanchez520@gmail.com
EMAIL ADDRESS

CITY OF PHOENIX
JAN 12 2022
Planning & Development Department

REASON FOR REQUEST

Opposing rezone

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

Petition for THREE-FOURTHS (3/4) Vote by City Council
For
ZONING APPLICATION # **Z-60-21**
Request: **R1-6 to R-3**
Location: ~~**3933 E. Monterosa Phoenix, AZ 85018**~~
Approximately 65 Feet west of the southwest corner of 40th Street and Monterosa Street.

We the undersigned are OWNERS of property within the area of the proposed amendment or the area within 150-feet of the proposed amendment, including all rights-of-way, requesting the rezoning action. We request that the City Council be required to pass this rezoning application by a three-fourths (3/4) vote.

Date	SIGNATURE	PRINT NAME	ADDRESS	APN
1/11/2022	Connie L. Bennett	Connie L. Bennett	3926 E. Monterosa St Phoenix, AZ 85018	170-32-132
1/11/2022	Stella Tsantilas	STELLA TSANTILAS	3920 E INDIAN SCHOOL RD PHX, AZ 85018	170-32-099C
1/11/2022	Stella Tsantilas	STELLA TSANTILAS	3924 E INDIAN SCHOOL PHX- AZ 85018	170-32-099D
1/11/2022		PAUL SANCHEZ	3927 E. MONTEROSA PHOENIX, AZ 85018	170-32-093
1/11/2022		Ryan Calkins	3917 E Monterosa st. Phoenix, AZ 85018	~~520-498-8387~~ 170-32-095
1-11-2022		Patricia Hansen	3930 E Monterosa Phoenix AZ 85018	170-32-131
1/11/2022		JOHN PAPPAS	4124 N 40TH ST PHX AZ 85018	170-32-089
1-11-22		Gregory Glassman	3923 E Monterosa Phoenix, AZ 85018	170-32-094

CITY OF PHOENIX
JAN 12 2022
Planning & Development Department

CITY OF PHOENIX
PLANNING AND DEVELOPMENT DEPARTMENT

FORM TO REQUEST PC to CC
I HEREBY REQUEST THAT THE CC HOLD A PUBLIC HEARING ON:

APPLICATION NO/ LOCATION	**Z-60-21-6** Approximately 65 feet west of the southwest corner of 40th Street and Monterosa Street	***(SIGNATURE ON ORIGINAL IN FILE)***			
		opposition	**x**	**applicant**	
APPEALED FROM:	PC January 6, 2022	3911 E. Monterosa Phoenix, AZ 85018			
	PC DATE	*STREET/ADDRESS/CITY/STATE/ZIP*			
TO PC/CC HEARING	CC February 2, 2022	Patricia Mathes 623-202-8662 pmathes_222@yahoo.com			
	CC DATE	*NAME / PHONE / EMAIL*			

REASON FOR REQUEST:

1) The request for zoning change has been posted on the lot that is already zoned R-3, nothing has been posted on the site 3933 E. Monterosa, for which Geoff Edlund is requesting a zoning change. This may be illegal; at the least it is confusing and misleading to the residents of the neighborhood.

2) Constructing 8 row house style townhouses on a street that is majority single-family homes is out of character of our street and neighborhood.

3) Using a 16' wide alley for driving and parking is unsafe and noisy and will detract from the value of our homes on Monterosa.

4) The alley used as a driveway for the 16 carports will create more dangerous driving and turning patterns at an already stressed intersection.

5) The owner of the empty lot has kept it vacant and open to deterioration for 6 years; weeds, abandoned vehicles, parking lot, trash. He could have and should have developed this R-3 lot when he purchased it.

6) 8 townhouses will open the market to investors who rent out the properties thus decreasing our property value. These have alleyway carports. This

property looks like a rental opportunity. Even the investor said he will buy one for himself to use at will.

7) Parking on street will cause danger for the residents of the neighborhood. We have children, walkers, strollers, bicycles, dogs. The townhouse is too dense for this street. It will create overflow parking on Monterosa further endangering the lives of the community members. This will further decrease our home values.

RECEIVED BY:	Greg Harmon	RECEIVED ON:	1/11/2022

Alan Stephenson
Joshua Bednarek
Tricia Gomes
Racelle Escolar
Stephanie Vasquez
David Urbinato
Vikki Cipolla-Murillo

Greg Harmon
Samantha Keating
Paul M. Li
Village Planner
GIS
Applicant

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

CITY OF PHOENIX

JAN 11 2022

Planning & Development Department

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   There is a $630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. **January 13, 2022**.

   Any member of the public may, within seven (7) days after the Planning Commission's action, request a hearing by the City Council on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m. **January 13, 2022**.

2. A **WRITTEN PROTEST** is filed, no later than seven (7) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the property by area and number of lots, tracts, and condominium units within the zoning petition area have signed the petition. The zoning petition area includes both the area of the proposed amendment, and the area within 150 feet of the proposed amendment, including all rights-of-way. For condominium, townhouse and other types of ownership with common lands, authorized property owner signatures are required. Please see Planning and Development Department Staff for additional information prior to gathering signatures.

   To require a three-fourths vote of the City Council for approval, a written protest for applications on this agenda must be filed with the Planning and Development Department by 5:00 p.m. **January 13, 2022**

   The Planning and Development Department will verify ownership by protestors to determine whether or not a three-fourths vote will be required.

3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an $830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. **January 20, 2022**.

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING: Approximately 65 feet west of the SW corner of 40th St and Montecrosa

Z-60-21
APPLICATION NO.

~~3933 E. Montecrosa~~
LOCATION OF APPLICATION SITE

11 Jan 2022
DATE APPEALED FROM

☑ OPPOSITION
☐ APPLICANT

Greg Harmon / Greg Harmon
PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

PATRICIA MATHES
PRINTED NAME OF PERSON APPEALING

Patricia Mathes
SIGNATURE

3911 E. Montecrosa
STREET ADDRESS

1-10-2022
DATE OF SIGNATURE

Phoenix, AZ, 85018
CITY, STATE & ZIP CODE

623-202-8662
TELEPHONE NO.

pmathes_222@yahoo.com
EMAIL ADDRESS

REASON FOR REQUEST

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

Sofia Mastikhina

From: geoff mathieux <geoffroymathieux@hotmail.com>
Sent: Monday, December 6, 2021 10:52 AM
To: Sofia Mastikhina
Subject: Case No. Z-60-21 Registration to Speak at CAMELBACK EAST VILLAGE PLANNING COMMITTEE on Tuesday, December 7, 2021, at 6:00 p.m

Hello Sofia,

I am writing to register to speak at the at CAMELBACK EAST VILLAGE PLANNING COMMITTEE meeting on Tuesday, December 7, 2021, at 6:00 p.m. Please register me.

Also I would like to submit the following comment:

I am a neighbor to the property 65'+-West of the SWC of 40th St. & Monterosa St. I support this project as it is a minimal change (only changing one of three zones to enable a high quality housing development which fits nicely in the neighborhood. It will be tasteful and add value to the neighborhood. Please approve the Rezoning application for the proposed townhomes "Monterosa Townhomes".The proposal is to rezone the property from R1-6 (one lot) and R-3 (two lots) to R-3 for all three.

Thank you,
Geoffroy

Geoffroy Mathieux cell (415) 420-2222

Sofia Mastikhina

From: Christopher Alt <alt@studioma.com>
Sent: Tuesday, December 7, 2021 10:33 AM
To: Sofia Mastikhina
Subject: agenda item #6, Z-60-21-6

Hi Sofia,

I am writing to let you know that I support the request to rezone to R-3 provided the applicant addresses traffic concerns. Specifically, the traffic issues where the alley meets 40th Street. Vehicles very often get backed up at Indian School and it is already challenging for commercial traffic to access/exit from the commercial development there. With the alley entrance right there next to the commercial entrance it is likely to cause additional problems, likely an unsafe condition.

CHRISTOPHER ALT
AIA
PRINCIPAL

Office: 602 251 3800
Mobile: 602 283 6421
alt@studioma.com
studioma.com



Sofia Mastikhina

From: Greg Bruns <greg@arcadianews.com>
Sent: Tuesday, December 7, 2021 11:53 AM
To: Sofia Mastikhina
Subject: Support for item #6, Z-60-21-6

Hi Sofia –

I am unable to speak at the meeting tonight for the rezone request for 40th Street & Monterosa, but I hope you are able to consider my support for this project – I know I'm late but I hope you're able to fit this in.

My property is at 3850 E Indian School Road – less than a block away – and I have lived and worked in the area for 18 years. Through all of the changes over the last two decades, I've never had a real estate professional or developer approach me and ask what I thought about their impending purchase/project. I was pleased to see Geoff Edlund do so with his proposal for Monterosa Homes. I remember how that dilapidated property looked for years and the type of people it drew… and now it's an unattractive vacant lot, so I welcome a smart design from a responsible person who has a stake in the game (he plans to purchase a unit for himself to live there).

I have reviewed the drawings and plans and spoken with Mr. Edlund at length about his intentions and ideas for the area and his property. I like that the project design takes into account the surrounding community and overall desert environment. It includes grass, trees and a keen curb appeal. It doesn't add to street parking, which is an issue that concerns the neighborhood, and it helps with the larger issue we have in the Valley with sprawl. As we build more multi-family housing in this central Phoenix area, we encourage more pedestrian and bicycle traffic – which has increased tremendously in the last three years. To the west and north (in the 3600-3800 block between Indian School and Campbell Ave), there are many nice examples of multi-family housing lots that are on the street with single-family home lots. Putting multi- and single-family lots next to one another doesn't allow for a completely uniform design. However, that doesn't currently exist on Monterosa on the southeast side… with a large office lot and multi-family zoning on the southeast side, there's also a large billboard and huge retail complex just to the south.

If we have a responsible builder who wants to create something nice that helps our community and that person is willing to work with the neighbors to consider ideas, changes and improvements, I support it.

I understand that we are dealing with rezoning ONE LOT here to add space for his construction of multi-family housing and by rezoning that lot we are deciding if this project is going to be five units or eight. I think the best plan here is to grant the request to allow R-3 multi-housing on the one lot to the west on Monterosa, so Mr. Edlund can build his 8 units.

Thank you –
Greg Bruns

3850 E Indian School Rd
Phoenix AZ 85018
602-840-6379 (o)
602-319-5930 (c)

Greg A Bruns
Publisher
Arcadia News

Racelle Escolar

From: geoff mathieux <geoffroymathieux@hotmail.com>
Sent: Sunday, January 2, 2022 6:23 PM
To: PDD Planning Commission
Subject: Case No. Z-60-21-6 Comment and Registration to Speak on Thursday, January 6th, 2022, at 6:00 p.m ITEM #17

Case No. Z-60-21-6 ITEM #17 Comment and Registration to Speak on Thursday, January 6th, 2022, at 6:00 p.m.

Dear Planning Commission,

I am sending a comment and writing to register to speak at the Planning Commission Hearing on Thursday, January 6th, 2021, at 6:00 p.m.

Below is my comment:

I am a neighbor to the property 65'+-West of the SWC of 40th St. & Monterosa St. I support this project as it is a minimal change (only changing one of three zones to enable a high quality housing development which fits nicely in the neighborhood). It will be tasteful with trees in front and parking in the back, and will add value to the neighborhood. Please approve the Rezoning application for one of three of the proposed townhomes "Monterosa Townhomes" (only one of three actually needs a zoning change).The proposal is to rezone the property from R1-6 (one lot) and R-3 (two lots) to R-3 for all three.

Thank you,
Geoffroy

Geoffroy Mathieux cell (415) 420-2222

Sofia Mastikhina

From: PAM MACMILLAN <rwminvestments@msn.com>
Sent: Monday, December 6, 2021 1:14 PM
To: Sofia Mastikhina
Cc: rhorowitz@bcattorneys.com; bgreathouse@bcattorneys.com
Subject: Rezoning application for 40th and Monterosa (Z-60-21-6)

To: Sofia Mastikhina, Ricki Horowitz, Brian Greathouse
From: Pam MacMillan, owner of 4013 E. Devonshire
Re: rezoning R1-6 to townhouses

I am reaching out to let you that we vigorously oppose the rezoning of residential lots on Monterosa street so that townhouses can be built.

I strongly oppose this rezoning for several reasons:
1. This area for 50+ years has been single family homes. A few condo/townhouses have been built on 40th street in the past 10 years but none have actually been on one of the side/residential streets. These multiple housing projects were built at the strong opposition of the neighborhood. Two story and taller buildings ruin other neighbors views, increase people density and car density thus adding to trash, noise pollution, traffic congestion and putting additional pressure on the area to absorb more and more people, cars into schools, restaurants and other retail establishments.

2. There is a reason the area is zoned R1-6 and that because it is a residential neighborhood. It is full of single family homes occupied by families. Townhouses were never intended to be built in these neighborhoods. It will hurt the property values of the neighbors in the surrounding area. They bought their single family homes based on the knowledge that the neighborhood was zoned R1-6.

3. This is not affordable housing which is what is needed (on Indian School and other major streets). The Citrine, the other condos on 40th street as well as the soon to be finished Grove (C.back/44th) are all high end rentals housing thousands of additional people and cars. The intersection at Camelback and 44th St is already listed as the “top 10 most dangerous intersections in Phoenix.” The intersection at Indian School and 40th St is also very dangerous - especially during pick up and drop off times at Christ Lutheran School.

Please let this residential neighborhood remain just that - single family homes filled with people living there for many years, typically from recently married to newly retired, not people who move in to a rental on a temporary basis. They never bother to get to know their neighbors or care about the neighborhood because in a year or so they will move on - probably into a residential community without townhomes.

Here are some of my questions:
1. From the architectural drawing it does not appear that there are garages. Is that true? If so, that means a lot of parked cars on the street. Also it appears from the drawing that the balconies are facing north and looking directly into the homes of the people on the north side of Monterosa.

2. What in the back yards? Pool? Grass? Desert? Nothing? From the drawing, it looks like the balconies is where people will sit. What about noise? Privacy for the neighbors?

In conclusion, I strongly urge the Phoenix Planning Commission to reject this rezoning request.

Thank you for reading and taking into consideration my concerns.

Pam MacMillan

Sofia Mastikhina

From: elizabeth lennon <lennonfamily1963@gmail.com>
Sent: Tuesday, December 7, 2021 4:42 PM
To: Sofia Mastikhina
Subject: Rezoning

I oppose rezoning from residential to allow 8 townhouses to be built in the 40th street Monterosa intersection. The neighborhood was never intended to have townhomes and the traffic is already very dangerous at Indian School and 40th street.

I appreciate your understanding as an active member of this great community filled with young families with children.

Regards,

Elizabeth Lennon

5905 e calle tubería
Phoenix, az 85018

Sofia Mastikhina

From: Pamela MacMillan <rwminvestments@msn.com>
Sent: Monday, December 13, 2021 2:44 PM
To: Sofia Mastikhina
Subject: Rezoning

Hi Sofia: This is Pam MacMillan again.

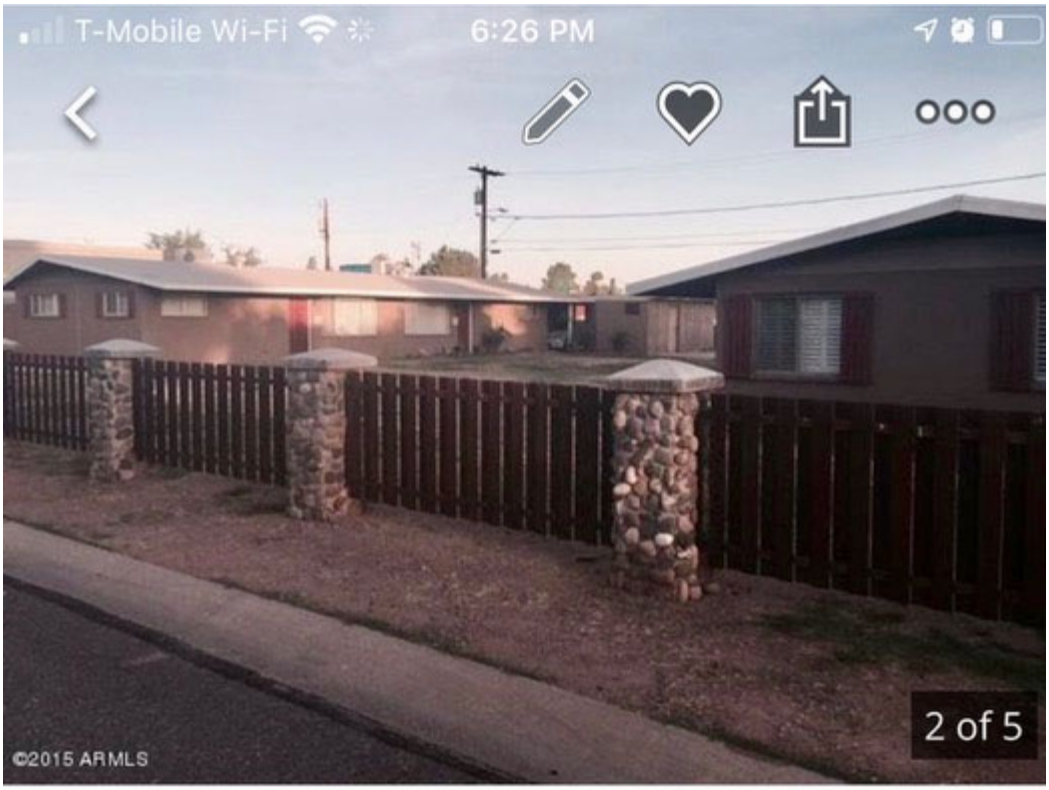
I am sure in the big scheme of things my comments won't make a bit of difference but I would like to share my thoughts regarding re-zoning in general with the planning committee.

It is a very slippery slope once you start to rezone neighborhoods. Arcadia is the perfect case study for this. In the last 10 years, Arcadia has gone from single story ranch homes on big irrigated lots to mansions that are built from lot line to lot line. Most new builds are now two story homes that ruin the view of Camelback Mountain for others in the neighborhood. There is barely a citrus tree left and most new comers have no idea that Arcadia was once a citrus grove. I understand all the reasons why this has happened but it has ruined the charm and uniqueness of Arcadia. Once you started to allow rezoning in Arcadia, the requests came pouring in: larger homes, two story homes, splitting of lots to built two homes…the list goes on and on. Also rezoning allowed high-rise apartments, condos, townhomes and soon to be hotel on the all the major streets surrounding Arcadia.

Let's be honest, the structures that were on Monterosa at 40th street were built to looked like single family ranch style homes. Yes, they were old and yes they were multi housing units and yes they probably needed to be replaced after the fire but the modern two story all glass townhouses that will be built don't exactly fit in the neighborhood AND DO increase the number of cars, people on Monterosa. Also, the reason the single family home needs to be torn down is because the current owner choose not to maintain the property.

I completely agree with Ms Augusta that the traffic department needs to get involved. I use the intersection at 40th and Indian School almost every day. That corner has changed significantly since 2015. There is alway lots of trafffic coming and going from the restaurants, yoga studio and other retail stores on the northwest corner. It is incredibly dangerous to attempt to turn left (north) out of the strip center onto 40th street. The plan to use the alley as a driveway to get to the carports for the townhouses has not been well thought out and is dangerous.

I have attached photos of the original structures and the single family home. I realize the townhouses will be built. The purpose of this letter is to ask the planning committee to be careful of allowing so much rezoning. It changes the character, purpose of neighborhood zoned for single family homes.



-- bds | -- ba | 800 sqft

3937 E Monterosa St APT B, Phoenix, AZ 85018


T-Mobile Wi-Fi
7:15 PM
14%
Google
© 2021 Google
Report a problem

Racelle Escolar

From: Dana Zuidema <dazuidema414@gmail.com>
Sent: Tuesday, January 4, 2022 8:13 PM
To: PDD Planning Commission
Subject: Case no z-60-21-6

Hello,
I am writing this email to voice my opposition of case no z-60-21-6. I live in the neighborhood and do not support the rezoning of this single family lot to multi family housing.

Dana Zuidema
3919 E. Devonshire ave
Phoenix, AZ 85018

Racelle Escolar

From: Gayle Milling <gjmilling@gmail.com>
Sent: Wednesday, January 5, 2022 9:41 AM
To: PDD Planning Commission
Subject: Case No Z-60-21-6

This is a note to state that my husband and I, Gayle and Richard Milling of 3931 E Heatherbrae Drive strongly oppose the rezoning of Monterosa from single family home lots to multi-family homes. There is a significant risk to increased traffic on 40th street which is already extremely busy and hazardous for kids and families as well as decreased character of the singe-family home neighborhood we all love.

We beg you to not move forward with this.

Regards -

Richard and Gayle Milling

Sent from my iPad

Racelle Escolar

From: Connie Bennett <connie7bennett@gmail.com>
Sent: Wednesday, January 5, 2022 1:25 PM
To: PDD Planning Commission
Subject: Case No-60-21-6

Good afternoon! I wish to voice my opposition on rezoning Monterosa Street. Not only will building the “eight” two-story townhouses on a “single family home lot“ decrease the character of our single family home neighborhood, but it would increase dangerous traffic patterns & cause more excess parking on Monterosa Street which is already an issue as the lot in question is bordered by commercial properties & overflow parking comes onto our street as it is. Please consider the safety of our children & grandchildren in forming your decision. Thank you! Connie Bennett at 3926 E Monterosa St.

From: just me <skwrusphe@hotmail.com>
Sent: Wednesday, January 5, 2022 5:38 PM
To: PDD Planning Commission <pdd.planningcomm@phoenix.gov>
Subject: Z-60-21-6 opposition

Application #: Z-60-21-6
From:R1-6 andR-3
To:R-3
40th Street and Monterosa Street
Proposal:Multifamily Residential

mailto:pdd.planningcomm@phoenix.gov

January 5, 2022

Dear Planning Commission.

My apologies that this letter/email is being written and submitted on January 5. I hope you will still consider it.

I'm writing to express my very strong opposition to allowing more housing units on the lot on Monterosa Street just west of 40th Street. Please do not allow this.

The planning commission designs and the zoning requirements were set a long time ago with the intent of keeping the neighborhood nice. Please don't allow this change as there is no need to do so – other than more profit for the builder/developer and that is not and never should be a valid reason.

I have lived in this neighborhood many years. It is in one of the hottest zip codes right now and is shockingly popular to builders and flippers. Builders and flippers who come in to make as much money as they can by cramming more buildings/square footage into the lots and more bodies in those buildings and more cars on the streets, with zero regard to what happens to the neighborhood and the traffic around it once they've made their profits and left – aesthetics, number of people, lack of parking, noise, trash, etc., etc.

On this townhouse development, it says two parking spaces per unit, but will there be a limit of two cars per unit? And where will their visitors park? More residents means more cars, whether they live there or are visiting. There is not any more room on Monterosa Street for more cars to park. Entering or leaving Monterosa at 40th Street at certain times of the day is very challenging because of the number of cars parked there.

We don't need more people and more traffic to clog up our once lovely, friendly neighborhood. We don't need any more two-story mega homes – or townhouses in this case - going up in our neighborhood. We are losing the character of our neighborhood. Cramming more in is not the answer.

Please have consideration for those of us who have lived in and continue to live in this neighborhood.

I can't help but emphasize the cars/parking/traffic issue, but my opposition is more than that, as I've stated above.

None of the neighbors I've spoken to are in favor of this change. I do not know how many are writing or speaking out about this to the Commission. Sadly, as you well know, getting people participate and be involved is quite a challenge.

Thank you for taking the time to read and consider my comments.

P. Lyons
3828 E. Monterosa St.
Phoenix, AZ 85018

Racelle Escolar

From: Rosemary Scott <alanscottrs@gmail.com>
Sent: Wednesday, January 5, 2022 6:43 PM
To: PDD Planning Commission
Subject: Case number Z 60 21 6

To the zoning committee: it's time to vote no to converting a single family home lot to multifamily in a residential neighborhood. whoever this developer is was not clear when initially requesting a change to zoning, indicating they wanted the zoning change to a property close to 40th St. It's on a residential street and it is a single family home. It will increase traffic, crowd an already crowded intersection, bring down home values, and create ? rentals we do not need. It is bad enough single family homes are converted to hotels or you may prefer to call them Airbnbs. We have lived for 40 years in this neighborhood. We have driven out drug dealers and prostitutes. We have supported Creighton School district and Phoenix Union High School District not just by paying taxes but sending our children to these inner city schools. Does this developer care about these schools? We are tired of fighting to keep this a residential neighborhood so please help us and stop these greedy developers. Sincerely Rosemary Scott and Alan C. Gee

Racelle Escolar

From: Peter Eastburn <peter.eastburn59@gmail.com>
Sent: Wednesday, January 5, 2022 9:09 PM
To: PDD Planning Commission
Cc: pmathes_222@yahoo.com
Subject: Case No Z-60-21-6

To whom it may concern,

The biggest concern is traffic at the corner of Monterosa and 40th street. It already backs up past Devonshire on 40th street most evenings and always on Friday and sometimes on Saturday. The street parking on Monterosa in front of the proposed apartment project will be devastating to the neighborhood, this is a signal family neighborhood not an opportunity zone for someone to make a buck off of multifamily residences.

Regards,

Peter S. Eastburn

Racelle Escolar

From: Tristahn Schaub <tristahn@gmail.com>
Sent: Wednesday, January 5, 2022 10:23 PM
To: PDD Planning Commission; Council District 6 PCC
Subject: Case No Z-60-21-6 Opposition

To whom it may concern - I am writing in opposition to the proposed multifamily development at Monterosa and 40th St. Since the mortuary was sold, that corner has become overstuffed and commercially exploited. Parking has been insane and the businesses are now generating nighttime noise complaints from nearby residences. This proposed devlopment seems to add to the problems already taking place on that corner.

At first glance of the project I thought, "Who on earth would want to buy one of these townhomes stacked on top of one anotyher and shoved right up against that commercial nuisance?" and simply dismissed the appolication. However, haveing heard from local residents, I feel compelled to spoeak out more formally, not for its gross exploitation of the land and density but for the impacts to the community. I am 100% in agreement with the following concerns which have been raised:

Loss of Property Value: Multifamily homes are known to drive down the value surrounding homes. We do not want our property value driven down due to this development.

Loss of Character of Single-Family Home Neighborhood: If this rezone is approved, it may set precedent allowing other similar rezoning requests to be approved. This means our community could shift from single-family homes to more multifamily homes, which will impact the character of our neighborhood. The rezone would also allow for rentals.

Creation of Dangerous Traffic Patterns: Four driveways exist in total on the east and west side of 40th Street between Indian School and Monterosa Street. Adding eight additional units in this space will create a higher traffic volume, which will make an already dangerous intersection more dangerous.

Creation of Excess Parking on Monterosa Street: Excess parking is already an issue on Monterosa Street due to the development on Indian School and 40th Street. The spillover parking on the narrow Monterosa Street creates danger for pedestrians. Eight additional units will create more parking issues and danger

My hope is that you restore sanity to how this parcel is being zoned and managed by denying this development request.

Thank you,

Tristahn Schaub

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 76

Public Hearing and Resolution Adoption - General Plan Amendment GPA-DV-2-21-1 - Approximately 270 Feet North of the Northeast Corner of 19th Avenue and Happy Valley Road (Resolution 21989)

Request to hold a public hearing on a General Plan Amendment for the following item to consider adopting the Planning Commission's recommendation and the related Resolution if approved. This file is a companion case to Z-48-21-1 and must be heard first, followed by Z-48-21-1.

Summary

Current Plan Designation: Residential 3.5 to 5 dwelling units per acre, Commercial, and Mixed Use (Commercial / Commerce Park)
Proposed Plan Designation: Residential 15+ dwelling units per acre
Acreage: 13.48 acres
Reason for Change: Minor General Plan Amendment to allow multifamily residential

Owner: Happy Valley 19, LLC
Applicant: Toll Brothers
Representative: Nick Wood, Esq., Snell & Wilmer, LLP

Staff Recommendation: Approval.
VPC Info: The Deer Valley Village Planning Committee heard the case on Sept. 9, 2021 for information only.
VPC Action: The Deer Valley Village Planning Committee heard the case on Dec. 9, 2021 and recommended approval, by a vote of 10-0-1.
PC Action: The Planning Commission heard the case on Jan. 6, 2022 and recommended approval, per the Deer Valley Village Planning Committee recommendation, by a vote of 6-2.

Location

Approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road.
Council District: 1
Parcel Addresses: 25255 N. 19th Ave.; and 1734, 1737, 1745, 1748 W. Desert Hollow Drive.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED RESOLUTION

RESOLUTION _____

A RESOLUTION ADOPTING AN AMENDMENT TO THE 2015 GENERAL PLAN FOR PHOENIX, APPLICATION GPA-DV-2-21-1, CHANGING THE LAND USE CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN.

_____

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

SECTION 1. The 2015 Phoenix General Plan, which was adopted by Resolution 21307, is hereby amended by adopting GPA-DV-2-21-1. The 13.48 acres of property located approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road is designated as Residential 15+ dwelling units per acre.

SECTON 2. The Planning and Development Director is instructed to modify the 2015 Phoenix General Plan to reflect this land use classification change as shown below:

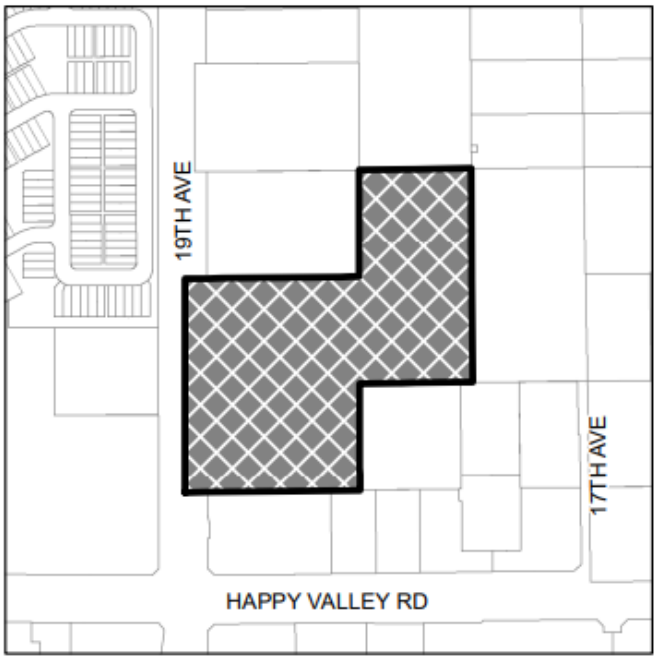
DRAFT

PROPOSED CHANGE:

Residential 15+ du/ac (13.48 +/- Acres)

Proposed Change Area

Residential 15+ du/acre



PASSED by the Council of the City of Phoenix this 2nd day of February 2022.

_____

M A Y O R

ATTEST:

_____

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:

_____

_____

REVIEWED BY:

DRAFT

_____
Jeffrey Barton, City Manager

PL:amt:____v1 (CM __) (Item _) 2/2/2022

DRAFT

City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

GENERAL PLAN AMENDMENT
STAFF ANALYSIS
December 7, 2021

Application:	GPA-DV-2-21-1
Applicant:	Toll Brothers
Owner:	Happy Valley 19, LLC
Representative:	Nick Wood, Esq., Snell & Wilmer, LLP
Location:	Approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road
Acreage:	13.48 acres
Current Plan Designation:	Residential 3.5 to 5 dwelling units per acre (4.41 acres), Commercial (4.97 acres), Mixed Use (Commercial / Commerce Park) (4.10 acres)
Requested Plan Designation:	Residential 15+ dwelling units per acre (13.48 acres)
Reason for Requested Change:	Minor General Plan Amendment to allow multifamily residential uses
Deer Valley Village Planning Committee Date:	December 9, 2021
Staff Recommendation:	Approval

FINDINGS:

1) The proposed General Plan Land Use Map designation of 15+ dwelling units per acre provides a transition in scale and intensity from development on the west side of 19th Avenue.

2) The Residential 15+ dwelling units per acre land use designation will permit residential development that will add to the diverse housing options in the area within close proximity to a designated employment center.

3) The companion rezoning case, Z-48-21-1, contains development standards that will promote development at an appropriate scale for the general area.

BACKGROUND

The subject site is located approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road. The eastern portion of the site is occupied by four single-family homes. The western portion of the site, abutting 19th Avenue, is currently vacant. The companion Rezoning Case No. Z-48-21-1 is a request to allow PUD zoning for multifamily residential uses on the entirety of the site.

Currently, the General Plan Land Use Map designation on the site is Residential 3.5 to 5 dwelling units per acre, Commercial, and Mixed Use (Commercial / Commerce Park). The eastern portion of the site is currently in unincorporated Maricopa County. The commercial designation on the site is depicted in red on the graphic to the right. The existing residential 3.5 to 5 dwelling units per acre designation is depicted in yellow. An annexation application for that portion of the site is actively being pursued by the applicant.



Existing General Plan Land Use Map, Source: City of Phoenix Planning and Development Department

The site is located near two major arterials streets. An existing bus stop and bus stop pad is located on the east side of 19th Avenue just to the south of the site. A City of Phoenix designated bike lane is also located along 19th Avenue.

The area surrounding the subject site has seen a significant amount of investment in the last 10 years. This investment has positioned the area between Jomax Road and north of the Deer Valley Airport as a corridor for mixed-use, industrial, commerce park and multifamily residential development.

EXISTING CONDITIONS AND SURROUNDING LAND USES

There are four existing single-family residential homes on the eastern portion of the site, pending annexation into the City of Phoenix limits. The western portion of the site is comprised of vacant land that is zoned C-O/M-O (Commercial Office, Major Office

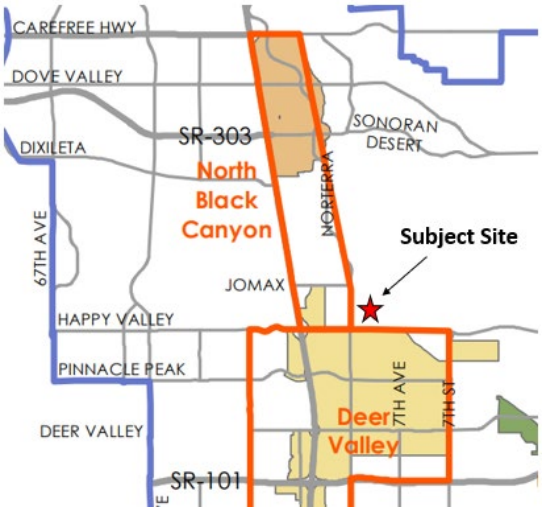
District). The western portion of the site is comprised of four residential lots. The table below provides a summary of the surrounding General Plan (GP) Land Use Map designations, existing land uses and zoning.

Location	GP Land Use	Existing Land Uses	Zoning
North	Residential 3.5 to 5 dwelling units per acre	Vacant	RU-43 (Maricopa County)
South	Mixed Use (Commercial, Commerce/Business Park)	Convenience store, commercial retail, and self-service storage facility	C-2 and C-2 SP
East	Residential 3.5 to 5 dwelling units per acre and Mixed Use (Commercial / Commerce Park)	Vacant and self-service storage facility	S-1 and C-2 SP
West (abutting and across 19th Avenue)	Residential 3.5 to 5 dwelling units per acre and Mixed Use (Commercial, Commerce/Business Park, Residential 5-10 dwelling units per acre, Residential 10-15 dwelling units per acre, and Residential 15+ dwelling units per acre)	Multifamily residential, APS electrical substation, and vacant	PUD and RU-43 (County)

Surrounding Land Use Designations, Land Use and Zoning

The site is located within close proximity of the Maricopa Association of Governments (MAG) designated North Black Canyon and Phoenix designated Deer Valley employment centers. This proposal will provide new housing opportunities for existing residents and the workforce in these two major employment centers.

The request facilitates additional residential options adjacent to major arterial streets and in close proximity to Norterra and the larger Happy Valley Road corridor. The proposed development is sensitive to surrounding residential and commercial development, thereby warranting the reasonable



Major Employment Center Map, Source:
City of Phoenix Planning & Development Department

levels of height and density proposed between the more intense Norterra development to the west and the more rural residential to the east.
A mix of housing types are encouraged in and around employment centers and commercial corridors. The North Black Canyon employment center profile provided by the City of Phoenix Community and Economic Development Department identifies this corridor as having a mix of workers in the current
labor pool that mirrors the metro area with a solid base of management as well as sales, clerical and administrative personnel. Workers in the North Black Canyon area are also well educated. Providing additional residential options in close proximity to the nearby office spaces in this rapidly growing area will add to the sustainability of the established employment center and the Norterra area overall.

RELATIONSHIP TO GENERAL PLAN CORE VALUES AND PPRINCIPLES

- **CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Promote and encourage compatible development and redevelopment with a mix of housing types in neighborhoods close to employment centers, commercial areas, and where transit or transportation alternatives exist.**

  This development proposal will provide a transition in land use that will maintain an appropriate character and scale compatible with existing entitlements and surrounding land uses in the general area. This proposal is appropriately located along an arterial street, near a major street intersection, and close proximity to employment centers. Further, the opportunity to add additional housing choices is consistent with the goals of the Housing Phoenix Plan.

- **CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.**

  The request and concurrent rezoning case Z-48-21-1 proposes multifamily development adjacent to an arterial street and within close proximity to a major street intersection with existing or planned bus service and designated bicycle lanes. The concentration of people within or adjacent to an employment center and near employment uses and transportation corridors promotes the sustainability of nearby commercial uses.

- **CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; DIVERSE NEIGHBORHOODS; LAND USE PRINCIPLE: Include a mix of housing types and densities where appropriate within each village that support a broad range of lifestyles.**

  The request facilitates additional residential options adjacent to major arterial

streets, in close proximity to Norterra and the larger Happy Valley Road corridor as well as in close proximity to two major employment centers.

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CONCLUSION AND RECOMMENDATION

Staff recommends approval of GPA-DV-2-21-1 as filed. The request aligns with the goals and polices of the General Plan and will result in a land use designation that will continue to support surrounding uses while maximizing the property's location along a major arterial and nearby employment centers.

Currently, there is a transition along the Norterra community towards mix of housing types and commercial services. Recent development suggests the area around Norterra is evolving to a mixture of housing choices and commercial uses. The proposed land use map change will serve as a continuation of the proposed land use designations to the south, west, and north of the subject site.

This proposed Minor General Plan Amendment request is consistent with surrounding land use transitions and General Plan Land Use Map designations in the general area.

Writer

David Simmons
December 07, 2021

Exhibits

Sketch Maps (2 pages)

GENERAL PLAN AMENDMENT

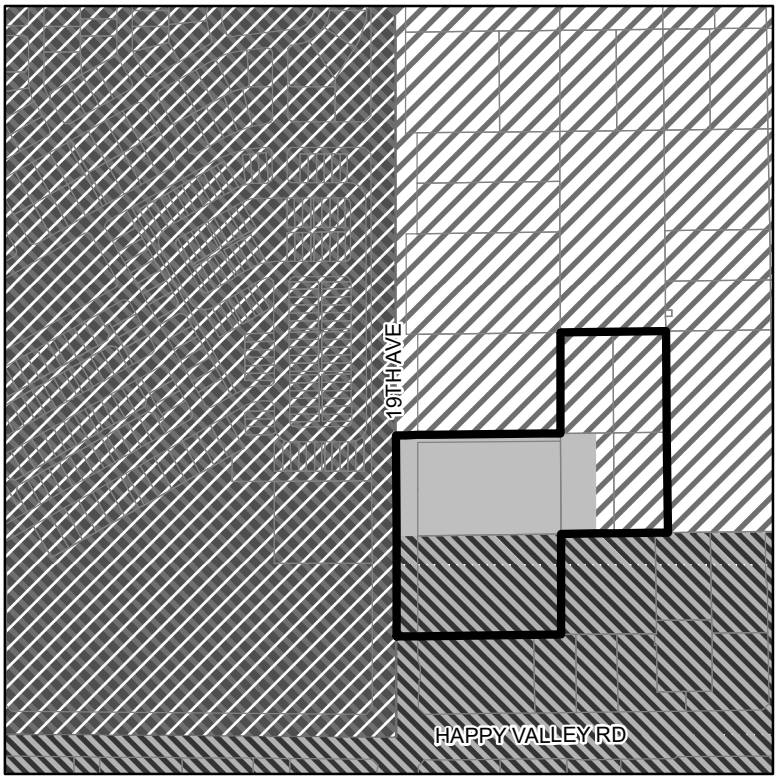
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-DV-2-21-1_BW	ACRES: 13.48 +/-
VILLAGE: Deer Valley	COUNCIL DISTRICT: 1
APPLICANT: Toll Brothers	

EXISTING:

Residential 3.5 to 5 du/ac (4.41 +/- Acres)
Commercial (4.97 +/- Acres)
Mixed Use (Commercial/Commerce Park) (4.10 +/- Acres)

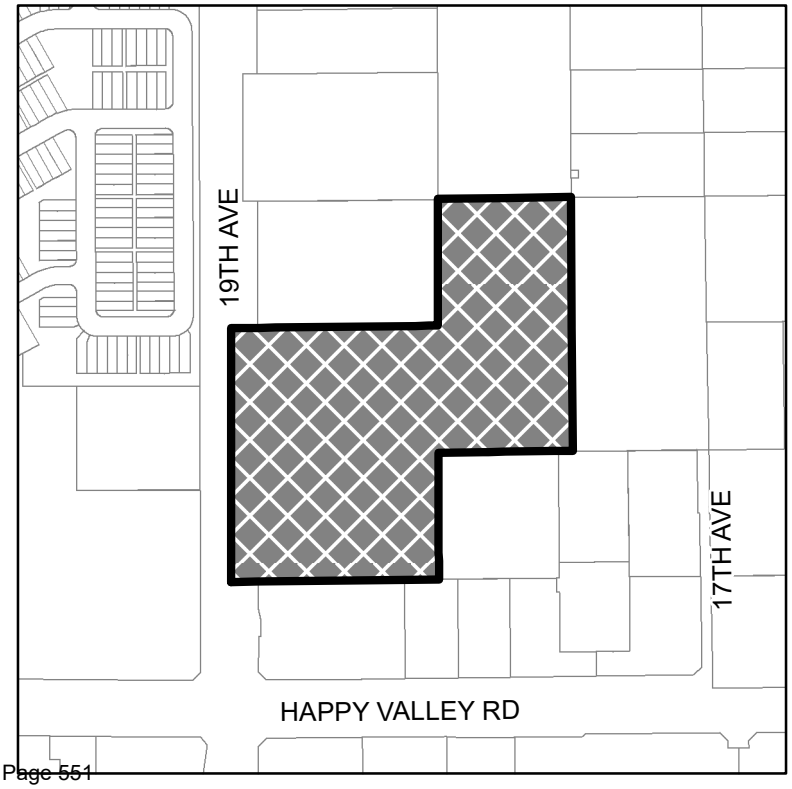
Proposed Change Area
Residential 3.5 to 5 du/acre
Commercial
Mixed Use (Commercial / Commerce Park)
Mixed Use (Commercial/Commercial Park/ Residential 5 to 10/10 to 15/15+)



PROPOSED CHANGE:

Residential 15+ du/ac (13.48 +/- Acres)

Proposed Change Area
Residential 15+ du/acre



GENERAL PLAN AMENDMENT

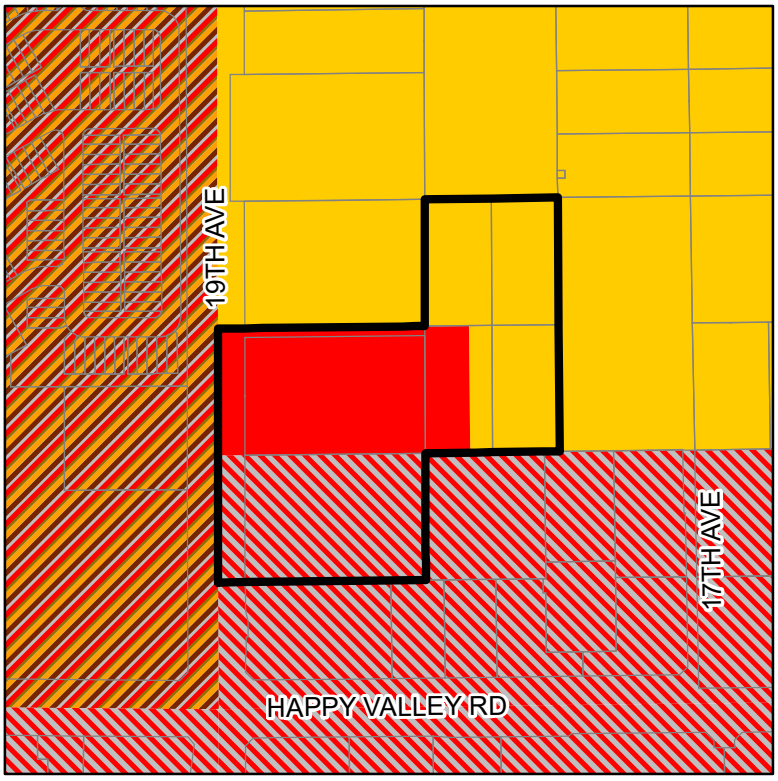
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-DV-2-21-1	ACRES: 13.48 +/-
VILLAGE: Deer Valley	COUNCIL DISTRICT: 1
APPLICANT: Toll Brothers	

EXISTING:

Residential 3.5 to 5 du/ac (4.41 +/- Acres)
Commercial (4.97 +/- Acres)
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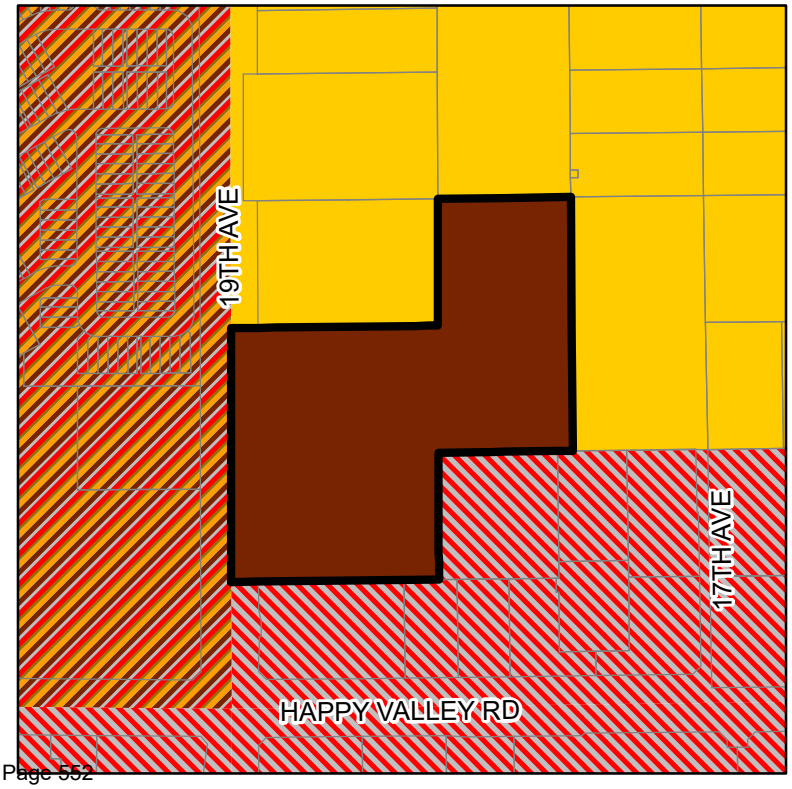
Proposed Change Area
Residential 3.5 to 5 du/ac
Commercial
Mixed Use (Commercial / Commerce Park)
Mixed Use (Commercial/Commerce Park/ Business Park/Residential 5 to 10/10 to 15/15+)



PROPOSED CHANGE:

Residential 15+ du/ac (13.48 +/- Acres)

Proposed Change Area
Residential 15+ du/ac



Deer Valley
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
GPA-DV-2-21-1 (INFO ONLY)

Date of VPC Meeting	September 9, 2021
Request	To amend the General Plan Land Use Designation **from** Residential 3.5 to 5 dwelling units per acre (4.41 acres), Commercial (4.97acres), and Mixed Use (Commercial/Commerce Park) (4.10 acres) **to** Residential 15+ dwelling units per acre.
Location	Approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road
Recommendation	NA

VPC DISCUSSION:

Cases GPA-DV-2-21-1 and Z-48-21-1 were heard concurrently.

1 speaker card was submitted in favor, wishing to speak
7 speaker cards were submitted in opposition, wishing to speak

Mr. Nick Wood, Snell & Wilmer, representing the applicant, provided a detailed overview of both the General Plan Amendment (GPA) request and the Rezoning request. He started by highlighting the quality of the Toll Brothers brand and quality of their products. He continued by highlighting the reasoning behind Toll Brothers decision to move forward with the subject site. He stated that the area is close to residential amenities, employment hubs and transportation corridors. He also shared that this area is growing rapidly and there is a need for alternative forms of housing in the area. Mr. Wood covered the request for the GPA and provided reasoning behind the need for the map change to Residential 15+ dwelling units per acre. He went on to address community concerns that he was aware of to include a stepback approach to building elevations along the northern and eastern property boundaries and enhanced landscaping to act as a buffer to nearby large lot residential. He also highlighted an open fencing concept that would make the site look more aesthetically pleasing to surrounding property owners, giving them the benefit of the enhanced landscaping proposed. Mr. Wood went over the site plan in detail highlighting that this proposal will be a gated, luxury multifamily development with resort like interior courtyard amenities. He highlighted that any noise generated from residents of the community would be contained within the interior courtyards of the development, completely surrounded by living units. Mr. Wood went o er the development standards table. Further, Mr. Wood showcased the conceptual rendering of the elevations, site plan and landscape plans depicting a high quality design that Toll Brothers is known for.

Mr. Ozzie Virgil left the meeting at approximately 7:15, bringing quorum to 8.

Public Comment:

Ms. Melissa Crawford, residing directly north of the subject site, shared concerns about increased traffic, increase in population density, crime, and the character of the rural area changing.

Ms. Michelle Gardner, VPC member, asked Ms. Crawford what her greatest concerns are.

Ms. Crawford shared that her greatest concerns are the proposed height and traffic.

Ms. Diane Habener, residing east of the subject site, has concerns with the proposed height and recommended a maximum of two-stories.

Chairman Joseph Grossman asked Ms. Habener if she resides within the County Island.

Ms. Habener shared that she does reside within the County Island boundaries.

Ms. Julie Burns, residing north of the subject site, shared concerns about loosing a perceived buffer zone between Norterra and the County Island, which is currently zoned commercial. She shared that she and her neighbors were expecting a single story commercial office use being built on this site. She shared concerns related to proposed height, increase in traffic, and stated that this PUD request is not wanted.

Mr. Clif Freedman, residing at 1716 Buckhorn Trail, shared that he is supportive of the request. He shared that the concerns about proposed height are irrelevant due to the existing entitlement son the site allowing up to four-stories. He shared that he supports the project, supports Toll Brothers and highlighted that Toll Brothers builds high end projects. Further, he shared that tenants of a high end development such as this would not result in an increase in crime.

Mr. James Whatley shared that he is opposed to the request. He has concerns about the character of the area changing and increase in population. He asked that the zoning stay as it currently is.

Applicants Response:

Mr. Nick Wood spoke to the concerns and shared that commercial zoning traffic counts are much higher than residential uses. He also highlighted that the majority of units are I bedroom, which may result in 2-3 people maximum residing in a single unit. He introduced Ms. Dawn Cartier with Civ Tech, a traffic engineering company, to speak on traffic volumes.

Ms. Dawn Cartier, CivTech Traffic Engineers, went over the traffic report and highlighted the anticipated number of trips per day that would be generated from such a use, which is much lower than a commercial center would generate.

Mr. Wood offered a rebuttal to the height concerns and highlighted the stepbacks proposed and the enhanced landscaping that acts as an aesthetically pleasing buffer between exiting large lot residential uses to the north and to the east.

Chairman Joseph Grossman asked Mr. Wood if existing single-family homes have already sold to Toll Brothers. He also wanted to confirm is self-storage was directly adjacent.

Mr. Wood confirmed that there are property owners that have already sold to the developer and that there is a self-storage use adjacent to the subject site.

Deer Valley
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
GPA-DV-2-21-1

Date of VPC Meeting	December 9, 2021
Request	To amend the General Plan Land Use Designation **from** Residential 3.5 to 5 dwelling units per acre (4.41 acres), Commercial (4.97 acres), Mixed Use (Commercial / Commerce Park) (4.10 acres) **to** Residential 15+ dwelling units per acre (13.48 acres)
Location	Approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road
Recommendation	Approval
Vote	10-0-1; motion to approve passed, with Committee Members Grossman, DiLeo, Davenport, Fergis, Gardner, Greenberg, Kenney, Levy, Lewis, Shipman and Virgil in favor. Mr. Kimball abstained from the vote.

VPC DISCUSSION:

Cases GPA-DV-2-21-1 and Z-48-21-1 were heard concurrently.

Mr. David Simmons, staff, provided an overview of the request to include background of how the area developed overtime. He went over the GPA and Rezoning requests concurrently as they are companion cases and reminded the Committee that the GPA case will require a motion prior to the rezoning request. Mr. Simmons shared how the GPA request is consistent with several core values of the General Plan. He explained that the rezoning request supports several policy plans to include the Maricopa Association of Governments (MAG) Deer Valley and North Black Canyon Employment Centers, Comprehensive Bicycle Master plan, Tree and Shade Master Plan, Complete Streets Guiding Principles, Zero Waste Phoenix as well as helps to meet the goals of The Housing Phoenix Plan. Mr. Simmons also shared the reasoning behind several of the proposed stipulations for the case. He also shared that an annexation request for the eastern portion of the site is running concurrently with the GPA and rezoning request.

Mr. Nick Wood, representing the applicant, provided a greatly detailed presentation to include how this proposal is consistent with development trends int eh surrounding area, the General Plan Land Use Map designation change, vehicular and pedestrian circulation plans for the site, enhanced landscaping standards proposed, and an explanation of the approved traffic study showing how the proposed use will not adversely affect traffic flows int the area. Further, Mr. Wood elaborated on the high quality architectural embellishment proposed

for the façade, the view fencing, and the proximity to residential as well as the building height in relation to residential and the more intense Norterra to the west.

VPC Discussion:

Mr. Keith Greenberg asked staff is the annexation request just included this site or more land area surrounding the site.

Mr. Simmons, staff, hared that the annexation request is for the four residential lots that make up the easter portion of the subject site. No other land area surrounding the site is included int eh annexation request.

Mr. Greenberg inquired as to where ingress and egress was gong to occur on the site.

Mr. Wood shared that the site plan configuration was updated due to Street comments that Desert Hollow Drive was going to be improved, resulting in an ingress/egress point there as well as an ingress/egress point off of 19th Avenue. Further, he shared that queuing could occur on Desert Hollow Drive during peak hours and a median will be installed along 19th Avenue, which will act as a traffic calming feature.

Mr. Greenberg asked how many living units are currently proposed.

Mr. Wood shared that a maximum of 470 units are proposed.

Vicechair Trilese DiLeo shared that there are many other apartment complexes int eh area and their traffic flows do not have an adverse effect on local traffic patterns. She shared that a commercial use on this site would generate much higher traffic volumes.

Mr. Mark Lewis asked if 19th Avenue was going to improved.

Mr. Simmons shared that 19th Avenue will be improved in accordance with the Cross section A requirements of the Street Classification map.

Ms. Dawn Cartier, with CivTech, explained the traffic study and went into detail about traffic patters resulting from specific uses.

Mr. Ozzie Virgil asked what the rental rates were and what is the current proposed density.

Mr. Wood shared that the density proposed is 34 dwelling units per acre, which is much lower than a typical multifamily request he represents. Further, he shared the rental rates will be $1.76 a square foot which translates to $1200.00 for a one bedroom.

Chairman Joseph Grossman asked what the original proposed number of units were prior to making modifications to the site plan as a result of the improvement requirements for Desert Hollow Lane.

Mr. Wood shared that the original proposed number of units was 500.

Mr. Stuart Kimball applauded the applicant on such a detailed presentation and their public outreach efforts. He also stated that with the required 19th Avenue improvement, traffic concerns should be eliminated as lanes will be added.

Public Comment:

Ms. Laura Bates, residing at 1744 W. Parsons Rd, shared concerns about increased traffic volumes and requested a secondar traffic study be conducted.

Mr. Brian Bates, residing at 1744 W Parsons Rd, shared that he too has traffic concerns as there are equestrians in the areas well as livestock. He also shared concerns in regard to loss of property values as a result of this development and drainage concerns.

Mr. Nick Wood explained that grading and drainage goes through a rigorous plan review proves to include on-site retention. He shared that, if needed, large retention compartments will be installed underground o eh subject site.

Ms. Melissa Crawford, residing at 1736 W. Parsons Rd, shared concerns about equestrians in the area, the character of the area changing and devaluations of properties.

Mr. Ozzie Virgil asked how many people showed up for the public meetings.

Ms. Crawford stated she believes the numbers were skewed due to COVID and the meetings taking place over the holiday season.

Ms. Julie Burns, residing at 1717 W. Yearling Rd, shared concerns about livestock in the area needing large dirt lot, which will create dust and other nuisances for future residents. Further, she shared concerns about the character of the area changing.

Ms. Marjorie McCaw, residing at 1647 W. Riles, shared concerns about the character of the area changing.

Mr. Stephen Baker-Murphy, residing at 1647 W. Riles, shared concerns about buffers, transitions between uses in the area, character of area changing and devaluation of existing large lot residential properties due to proposed development.

Chairman joseph Grossman asked Mr. Baker-Murphy how long he has lived in his home.

Mr. Baker-Murphy shared that he has resided in his home for four years.

Ms. Kim Cocuzza, residing on 17th Ave, shared concerns about the character of the area changing and increased traffic.

Ms. Alison McKee, residing at 1219 W. Parsons Rd, shared concerns about the character of the area changing, livestock in the area and traffic volume increasing.

Mr. Cliff Freedman, residing at 1716 W. Buckhorn Trail, spoke in support of the proposal. He highlighted that more housing options are needed in this area and the City of Phoenix is growing rapidly and housing demand cannot keep up.

Applicants Response:

Mr. Nick Wood stated that housing needs are a result of supply and demand. He shared that the City of Phoenix is currently the fastest growing city in the nation attracting over 90k new residents per year. He asked for a recommendation for approval.

VPC Discussion:

Mr. Ozzie Virgil asked is this site lies within the boundaries of the Deer Valley Airport Overlay (DVAO).

Mr. David Simmons, staff, shared that it does not lie within the DVAO.

Mr. Mark Lewis asked staff to share details about the proposed bungalow project taking place just to the north of the subject site.

Mr. Simmons shared that the bungalow project is located within the boundaries of Maricopa County. Therefore, staff does not have purview over that project and cannot speak to it.

Vicechair Trilese DiLeo stated that she is sympathetic and understanding of the publics concerns. However, growth is inevitable for this area considering the incredible investments going in all around. She also stated that traffic is not going to be of grave concern considering the use. Further, she stated that more housing options are critically needed in this area.

Mr. Mark Davenport left the meeting bringing quorum down to 11.

MOTION:

Vicechair Trilese DiLeo motioned to approve GPA-DV-2-21-1, per the staff recommendation.

Mr. Mark Lewis seconded the motion.

VOTE: 10-0-1, motion to approve passed, with Committee Members Grossman, DiLeo, Davenport, Fergis, Gardner, Greenberg, Kenney, Levy, Lewis, Shipman and Virgil in favor. Mr. Kimball abstained from the vote.

Attachment E

REPORT OF PLANNING COMMISSION ACTION
January 6, 2022

ITEM NO: 6	
	DISTRICT NO.: 1
SUBJECT:	
Application #:	GPA-DV-2-21-1
Request:	Map Amendment
Location:	Approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road
From:	Residential 3.5 to 5 dwelling units per acre, Commercial, and Mixed Use (Commercial/Commerce Park)
To:	Residential 15+ dwelling units per acre
Proposal:	Multifamily Residential 15+ dwelling units per acre.
Applicant:	Toll Brothers
Owner:	Happy Valley 19, LLC
Representative:	Nick Wood, Esq., Snell & Wilmer, LLP

ACTIONS:

Staff Recommendation: Approval.

Village Planning Committee (VPC) Recommendation:
Deer Valley 9/9/2021 Information only.
Deer Valley 12/9/2021 Approval. Vote: 10-0 (1 abstained).

Planning Commission Recommendation: Approval, per the Deer Valley Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Commissioner Johnson made a MOTION to approve GPA-DV-2-21-1, per the Deer Valley Village Planning Committee recommendation.

Maker: Johnson
Second: Gorraiz
Vote: 6-2 (Bushing and Perez)
Absent: Shank
Opposition Present: Yes

Findings:

1. The proposed General Plan Land Use Map designation of 15+ dwelling units per acre provides a transition in scale and intensity from development on the west side of 19th Avenue.

2. The Residential 15+ dwelling units per acre land use designation will permit residential development that will add to the diverse housing options in the area within close proximity to a designated employment center.

3. The companion rezoning case, Z-48-21-1, contains development standards that will promote development at an appropriate scale for the general area.

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 495-5622, TTY use 7-1-1.

Attachment F

CITY OF PHOENIX
PLANNING AND DEVELOPMENT DEPARTMENT

FORM TO REQUEST PC to CC **I HEREBY REQUEST THAT THE CC HOLD A PUBLIC HEARING ON:**					
APPLICATION NO/ LOCATION	**GPA-DV-2-21-1 & Z-48-21-1 (Lumara PUD)** Approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road	***(SIGNATURE ON ORIGINAL IN FILE)***			
		opposition	**x**	**applicant**	
APPEALED FROM:	PC January 6, 2022	Approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road, Phoenix, AZ 85085			
	PC DATE	*STREET/ADDRESS/CITY/STATE/ZIP*			
TO PC/CC HEARING	CC February 2, 2022	Wayne Hudgeons 623-340-0579 Cwcwayne99@gmail.com			
	CC DATE	*NAME / PHONE / EMAIL*			
REASON FOR REQUEST: **Three-Quarter Appeal** **Asking to appeal decision to rezoning GPA-DV-2-21-1 and 2-48-21-1**					
RECEIVED BY:	Greg Harmon	**RECEIVED ON:**		1/13/2022	

Alan Stephenson
Joshua Bednarek
Tricia Gomes
Racelle Escolar
Stephanie Vasquez
Diana Hernandez
David Urbinato
Vikki Cipolla-Murillo

Greg Harmon
Samantha Keating
Paul M. Li
Village Planner
GIS
Applicant

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

CITY OF PHOENIX

JAN 13 2022

Planning & Development Department

The **PLANNING COMMISSION** agenda for **January 6, 2022** is attached.

The **CITY COUNCIL** may approve the recommendation of the Planning Commission without further hearing **unless**:

1. A **REQUEST FOR A HEARING** by the **CITY COUNCIL** is filed within seven (7) days.

   There is a $630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. **January 13, 2022**.

   Any member of the public may, within seven (7) days after the Planning Commission's action, request a hearing by the City Council on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m. **January 13, 2022**.

2. A **WRITTEN PROTEST** is filed, no later than seven (7) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the property by area and number of lots, tracts, and condominium units within the zoning petition area have signed the petition. The zoning petition area includes both the area of the proposed amendment, and the area within 150 feet of the proposed amendment, including all rights-of-way. For condominium, townhouse and other types of ownership with common lands, authorized property owner signatures are required. Please see Planning and Development Department Staff for additional information prior to gathering signatures.

   To require a three-fourths vote of the City Council for approval, a written protest for applications on this agenda must be filed with the Planning and Development Department by 5:00 p.m. **January 13, 2022**

   The Planning and Development Department will verify ownership by protestors to determine whether or not a three-fourths vote will be required.

3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an $830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. **January 20, 2022**.

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

Z-48-21
APPLICATION NO.

Approx 270Ft north of the northeast Corner of 19th Ave and Happy Valley Rd.
LOCATION OF APPLICATION SITE

1-6-2022
DATE APPEALED FROM

☒ OPPOSITION
☐ APPLICANT

Greg Harmon
PLANNER (PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

Wayne Hudgeons
PRINTED NAME OF PERSON APPEALING

SIGNATURE

25406 N 17th Ave
STREET ADDRESS

1/13/22
DATE OF SIGNATURE

Phoenix AZ 85085
CITY, STATE & ZIP CODE

623 340-0579
TELEPHONE NO.

CWCWAYNE99@gmail.com
EMAIL ADDRESS

REASON FOR REQUEST

Asking to appeal decision to re-zoning GPA-DV-2-21-1 and Z-48-21-1

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

January 12, 2022

City of Phoenix
Planning and Development Department
Planning Division
racelle.escolar@phoenix.gov
(602) 534-2864

RE: City of Phoenix - GPA-DV-2-21-1 and Z-48-21-1 – Appeal Submittal

To All It May Concern,

My name is Wayne Hudgeons, I own and reside at 25406 N 17th Ave, which directly borders the proposed development by Toll Brothers.

I am appealing the decision made by the Planning Commission on January 6th, AND I am officially appealing your appeal process. On my behalf, I appeal this approved decision as I am directly affected by this development. This is a violation of my privacy. The high density 3 and 4 story high apartments are not a transition from R43. The see-through fencing and dumpster placed beside our residence is also not tolerable. The **core values of the City of Phoenix** is to promote and encourage COMPATIBLE development and redevelopment. That statement is not being displayed here. Rentals are not compatible with the character of our neighborhood. I feel that under the circumstances the voices that should carry weight are ALL of the residents and parcel property owners that currently comply with the R-43 zoning that reside within this land-locked County Island.

The impact of this change in zoning and density **directly** impacts all of our lives, livestock and our well-being, as well as all of our property values. Therefore, the opposition from **homeowners** within our entire County Island area should be given the most weight. Due to the size of the parcels within our County Island, a 150' radius is an unreasonable requirement. We are **united** in our opposition and ask you to please take the time to consider our request carefully.

Please accept and carefully weigh the attached signed petitions **AGAINST** this development. We are of one voice and have rallied as best as possible in these times to present a united front. There have been statements by the Developers and some Planning Staff that would imply the residents of our area do not really care as we haven't been vocal enough or "organized" in our opposition to these Developments. Please keep in mind that especially over the last 2 years life has become very busy and stressful for many people. None of us are being paid to sit in these meetings over and over again. It is difficult to even keep up with information as written letters are not sent to each of us as homeowners; signs are installed with no posting start dates; then dates change AND we are having to OPPOSE (2) developments side by side that both want the same outcome AT THE SAME TIME!! We are trying our best to show you with the resources and time that we have that we oppose this development. Many of us don't or can't do "Virtual" meetings. Also, based upon all of the technical difficulties in these meeting we are not able to speak nor able to make final comments or clarifications at the end like attorney Nick Wood. This makes the effort extremely frustrating and we do not feel we are getting a fair hearing, which is another reason we should be granted an appeal.

These signed petitions (see attached) include owners and/or residents within this County Island. Due to the size of most parcels within our County Island and 150' radius is an unreasonable requirement. We are **united** in our opposition and ask you to please take the time to consider our request to appeal and decision of the commission on January 6th.

Best Regards,

Wayne Hudgeons

623-340-0579

January 12, 2022

City of Phoenix

Planning and Development Department

Planning Division

Racelle.escolar@phoenix.gov

Re: City of Phoenix GPA-DV-2-21-1 and Z-48-21-1 Appeal

My name is Melissa Crawford and I own two properties within the county island of 19th Ave and Happy Valley. 1736 W Parsons and 1610 W Parsons Rd, Phoenix, AZ. I am writing to appeal the decision made by the Planning Commission on January 6th, 2022, our county island encompasses just north of Happy Valley to Jomax and east from the canal to 19th Ave.

We as a community oppose the Toll Brothers project, we are zoned R43 of 1.25 acres per 1 house and the Toll Brothers project is proposing the extremely opposite of 470 units 3 and 4 stories high. This extreme proposal is not within the character of our life style and the wellbeing of our livestock.

In reviewing the "letters of support" from Toll Brothers there appears to be very misleading information. There are roughly 162 letters that approved "465 luxury units with detached residential TOWNHOMES units with private garages". These signed letters did not sign approval of 470 apartments with covered parking. These letters do not support this project.

Of those 162 some letters:

-70 plus came from employees of businesses within the 1-17/Happy Valley corridor

-80 from addresses outside of our county island

-Only 11 were within our county island. Two of these are selling to Toll Brothers. But again, all of were giving approval of residential Townhome.

Our community approves Homeownership keeping the character of our neighborhood intacted. Allowing us to raise our children and grandchildren while caring for horses and other animals.

Even though we are county residents we support the City of Phoenix by buying from the businesses around us. Most of us own businesses that also support the city both in community and financially. Height is another issue. Currently the Toll Brothers project height of 3 and 4 stories is in violation of the S1 zoning of the parcel to the east. S-1 is ranch or farm residential use with height not to exceed 30ft. Along the east side (17th Ave) all of those homeowners will have their privacy violated. Even though USAA (to the west of 19th Ave) is not associated with us. Their homes are only one to two stories.

The traffic report was based on National Averages not actually readings. This high traffic area is already a problem and USAA (across from 19th Ave) had not even completed building. The proposed Toll Brother 470 units means 1200 plus people and the upcoming proposed Bungalows of 170 units 500 plus people. Our county island is blocked by the canal to only have access in and out by Happy Valley or 19th Ave.

The traffic by the proposed projects will add a tremendous amount of stress, pollution and accidents. The current Commercial/office would be the opposite direct of peak hours with no weekends or holidays. With both of the proposed projects that is close to 2,000 plus people entering and existing. Both projects are saying they will expand 19th Ave which will leave a bottleneck at Parsons.

The core values of the City of Phoenix is to "promote and encourage compatible development and redevelopment" that is not being exercised here. Rentals are not compatible with the character of our neighborhood. Every person living in our county island chooses to live here because we enjoy our lifestyle for both us and our animals. We are not against development. We are not against the current commercial office zoning. We are against high-density apartments changing who we are as a community. South of Happy Valley and along 1-17 would better fit this project. Please leave our community to homeownership.

Sincerely,



Melissa Crawford

623 606 7248

January 12, 2022

RE: City of Phoenix - GPA-DV-2-21-1 and Z-48-21-1 – Appeal Submittal

To The City of Phoenix Planning Department and Zoning, Staff, Councilmen, Developers, and the four Neighbors on Desert Hollow,

We have no representation for our neighborhood. All attorney's contacted stated, "they only work with developers." The City MUST represent the neighborhoods!!!!

We can't give $500,000 to the schools, as Toll Brothers promised. We can't pay the City FAVORS for a deed or tax revenue increase. This is only the tip of the favors promised.

I'm appealing the decision to entertain a FOUR Story development with high density apartments along side R-43 (one house per acre.) This doesn't not fit the characteristics of the rural community, infrastructure, or aesthetics of the area.

The members have taken an oath to develop the area to meet the characteristics/feel of the area. This is NOT even considered by the City of Phoenix. The views of the Union Hills will be blocked for quit a distance. The "Happy Valley triangle" area will not have that valley feel at all.

This is one house per acre.

What are you thinking added a FOUR story high density development next to the R-43 (S-1 for the City of Phoenix) property?

I strongly oppose and wish to appeal the area you have chosen to develop this High Density Development.

With Strong Opposition,

Julie Burns 1717 W Yearling Road & 1732 W Yearling Road

January 12, 2022

RE: City of Phoenix - GPA-DV-2-21-1 and Z-48-21-1 – Appeal Submittal

To All It May Concern,

We own and reside at 25657 N. 17th Avenue. We will be negatively impacted by this Proposed Development. The Density & Height alone are polar opposites of our R43 zoning and In no way shape or form could be considered Transitional. We are adding our voice to fully support Wayne Hudgeons who would bear the brunt of this development. It is disruptive and incompatible with the Character of our R-43 zoning which we have all complied with these many years.

Therefore we are also appealing the decision made by the Planning Commission on January 6th, AND Appealing your Appeal Process. I feel that under the circumstances the voices that should carry weight are ALL of the Actual residents and parcel property owners that currently comply with the R-43 zoning and reside within that land-locked County Island.

The impact of this change in Zoning and density **directly** impacts our lives and well being, as well as our property values. Therefore the opposition from **homeowners** within our entire County Island area should be given the most weight. Due to the size of most Parcels within our County Island a 150' radius is an unreasonable requirement.

These signed Petitions are signed almost solely by Owners and/or Residents within this County Island in Contrast to the Developers letters of Support which utilized mainly businesses and employees of business within the Happy Valley I-17 corridor. In fact as the presentation by the Toll Brothers was implied by several residents, I believe you will find some that may have indicated they were in support have changed their minds. Please also give weight to the efforts we are making thru such trying times and such unusual means. I know personally how hard it has been for me to find any time to add this complication of life into all the others that have come our way in the last two years, so even though this may seem last minute to you, please know that it has taken its toll on us to have to try and convince those who don't live here how truly incompatible this is to our neighborhood.

We implore you to not allow this high residential density into our small landlocked R-43 area - We understood (didn't like it but understood) the perimeter commercial that occurred on the SE corner, but beyond that we do not understand the need. There are still plenty on vacant parcels MUCH MORE appropriate for high density than we are south of Happy Valley RD and to the West of Norterra Parkway. The 2 main Roads that border us essentially lead to nowhere Happy Valley eastbound is 2 lanes and remains so as it turns into 7th St. until Deer Valley Rd. – 19th Ave Northbound disappears into North Valley Parkway which leads to an already fully populated housing developments) traffic is already a nightmare as things are. This is NOT transitional for our neighborhood and its character, it would in fact be extremely cumbersome to deal with.

Phoenix is dotted with other pockets like ours, Sunburst Farms, Western Meadows etc. and they are also a big part of the diversity that Phoenix offers to residents wanting to call this home. Rental Apartments are generally short term dreams in most peoples long term plans so the turnovers are generally high. We are lucky enough to have a few rental homes within Phoenix and we never ever raised rent for a good tenant (one that pays pretty much on time and cared for the property), rent would only be raised, if appropriate, after they chose to move out. I wonder is these Developers would do the same? Is the true benefit to tenants that are overcharged and a dime a dozen to them or better served to possible future land homeowners lucky enough to have gotten something truly unique to Phoenix , property within the City that feels like a rural home in the Country. Please maintain what we vested our lives and monies in.

Respectfully,

Richard & Laurel Brodie
25657 N. 17th Avenue
Phoenix, AZ 85085

Oppose the proposed Lumara Planned Unit Development

Rezoning Application Case Z-48-21-1 and GPA-DV-2-21-1

Maintain the character of the Happy Valley County Island rural Community and retain the commercial buffer zone

Action Petitioned for the Deer Valley Village Planning Committee and the City of Phoenix Planning and Zoning Commission

Happy Valley 19, LLC, and Toll Brothers filed a rezoning request for commercial (C-O/M-O), and PUD land approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road in north Phoenix. The proposed planned unit development (GPA-DV-2-21-1) consists of 470 Apartments on PUD 13.48, C-O/M-O 5.29 acres, County RU-43 (Pending S-1) (8.19) acres, or 15+ units per acre. Increased housing density and diversity is to help solve the current housing shortage and to serve as a built-in customer base for businesses recently built in the Happy Valley Road Corridor and Norterra employment zone.

Lumara, as designed, is in contrast to single-story large-lot properties that have dominated the area for decades. Increased housing density, population, and traffic will conflict with the established neighborhood rural quality and character. New development should be sensitive to and not negatively impact existing residents' community.

We, the undersigned, live in an area long designated for single-family residences. We request that you oppose any multi-family residential development and maintain the current RU-43 and S-1 on the 8.19 acres, the 5.29-acre buffer already zoned for commercial offices (C-O/M-O) and PUD of 13.48 acres.

Printed Name	Signature	Address	Phone Number	Date
Robert McKee		1219 W. Parsons Rd Phx, Az 85085	602-456-9812	1-9-22
Alison McKee		1219 W Parsons Rd Phx Az 85085	602-702-3676	1-9-22
Vivi Tafeogh		25219 N. 15th Ave Phx AZ 85085	602 882-9302	1-9-22
Mike Ogh		25219 N 15th Ave Phx AZ 85085	602-448-9300	1-9-22
GORDON LOUCKS		25236 N 15 Ave PHX AZ 85085	623-582-1133	1-9-22
Judith Loucks		25236 N. 15th Ave. Phx 85085	623-582-1133	1-9-22
Linda Stay		25411 N. 16th Ave Phx 85085	623.695.5562	1-9-22
Nancy Polito		25412 N 15th Ave Phx 85085	623-332-5163	1-9-22
Paul Bieber		25411 N. 16th Ave Phx 85085	623.252.4265	1-9-22
Lore Hardwick		25412 N 15 Ave Phx AZ 85085	480 861 8573	1-9-22
chad stay		25412 N 15 Ave Phx AZ 85085	602-989-1893	1-9-22
Shantel Hitchcock		25625 N 15 Ave Phx 85085	602 821-8104	1-9-22
William Hitchcock		25625 N 15 ave phx 85085	480-495-3263	1-9-22
Kristina Hitchcock		25625 N 15 ave phx 85085	602-418-2096	1-9-22
Travis Toth		25219 N 15 Ave Phx 85085	602-565-7179	1-9-22

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Printed Name	Signature	Address	Phone Number	Date
KEVIN JOHNSON		1740 W. Quartz Rock Rd	623764 1466	1-8-2022
[illegible] JOHNSON		1740 W. Quartz Rock Rd	623764 1465	1-8-2022
TAYLOR JOHNSON		1740 W. Quartz Rock Rd	480-209 4565	1-8-22
Todd A Myers	Todd A Myers	1740 W Quartz Rock Rd	6023613843	1-8-2022
Karen K. Myers	Karen K. Myers	1740 W Quartz Rock Rd	6023613467	1-8-2022
Kim Wampler	Kim Wampler	25919 N. 17th Ave	602-451-1327	1-8-2022
Michael E. Wampler	Michael Wampler	25919 N. 17th Ave	623-516-1010	1-8-2022
Noah Wampler	Noah Wampler	25919 N. 17th Ave 85085 Phx AZ	602-908-5494	1-8-2022
Angelica Wampler	Angelica M. Wampler	25919 N. 17th ave phx AZ	520-269-3398	1-8-2022
Michael A. Wampler	Michael Wampler	25919 N. 17th Ave. Phx Az	623-516-1010	1-8-2022
ANNE CORKINS		25609 N 11th Ave PHX 85085	602 710-1846	1-8-2022
Dusty Schollmeyer		25700 N 16th Ave Phx 85085	602-561-1665	1-8-2022
Tim Schollmeyer		25700 N 16th Ave PHX 85085	602-561-1665	1-8-2022
Kristin Schollmeyer		25700 N. 16th Ave PHX, AZ 85085	480-532-6771	01/08/2022

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Printed Name	Signature	Address	Phone Number	Date
Keziah Simonson	Keziah Simonson	1818 W. Parsons Road	(602) 615-4848	1/8/22
Chris Simpson		1818 W Parsons Rd Phoenix AZ 85085	602 290-1286	1/8/22
Richard J. Hill Jr	Richard J. Hill Jr.	1808 W. PARSONS Rd.	602-515-3216	1/8/22
Barbara L Hill	Barbara L Hill	1808 W. Parsons Road	602-471-2444	1/8/22
Margaret A. Langley	Margaret Langley	2701 W Parsons Rd	970-217-2791	1/8/22
Allyson McLean	Allyson McLean	1607 W. Parsons Rd	303-242-1871	1/8/22
Michael McLean		1607 W. Parsons Rd	303-242-1510	1/8/22
Robert Grayson		25438 N 17th Ave	6235706008	1-8-22
Robert Stewart	Robert Stewart	2550S N. 17th Ave	602-390-2644	1-8-22
Connie Labuhn		25439 N. 17th Ave	623-533-1577	1-8-22
Georgia Labuhn	Georgia Labuhn	25439 N. 17th Ave	6029804238	1-8-22
Brandon Hourihan		25438 N 17th Ave	602-350-5562	1-8-22
Preston Goldmann		25438 N 17th Ave	6029805739	1-8-22
Warren Butler		1707 W. Yearling Rd Phx	602-329-0891	1-8-22
Courtney Hamby	Courtney Hamby	1707 W Yearling Rd Phx Az	602-214-4859	1-8-22

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Printed Name	Signature	Address	Phone Number	Date
J. MANN		1615 W Briles Rd	6236802437	1.10.22
~~Kelly Mann~~	~~K Mann~~			
Kelley H Mann	K H Mann	1615 W Briles Rd.	801-485-6284	1-10-22
Martha Tallant	Martha Tallant	25814 N. 17th Ave	602 317-8094	1-10-22
Sandra Nolan	Sandra Nolan	25814 N. 17th Ave	602-327-8547	1-10-22
Daniel Nolan	Daniel Nolan	25814 N 17th Ave	4802650782	1-10-22
Billie Lewis	Billie Lewis	25441 N 17th Ave	623-937-5164	1-10-22
Charity Wamper		25919 N. 17th Ave	602-831-8764	1-10-22
Timothy Arnold	Timothy Arnold	25919 N. 17th Ave	315-949-1974	1-10-22
Kim COCUZZA	K Cocuzza	25813 N. 17TH Ave	805-501-0771	1-10-22
PHIL COCUZZA	Phil Cocuzza	25813 N. 17th Ave	818-404-0777	1-10-22
Mike Herman		1615 W. Quartz Rock Rd	602-750-6512	1-10-22
Beverly Herman		1615 W. Quartz Rock Rd	602-740-7227	1-10-22
Harry Rimbey	Harry E Rimbey	26027 N. 17th Ave	623-680-7477	1-10-22
Mike Rimbey	Mike Rimbey	26027 N. 17th Ave	480-294-3050	1-10-22

GTH

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Printed Name	Signature	Address	Phone Number	Date
BJ Lucas	BJ Lucas	26223 N. 17th	602-316-5557	1/9/22
Kathy Doucette	Kathy Doucette	26223 N. 17th E	623-580-4984	1/9/22
Susan Spaulding	Susan Spaulding	25216 N 15th Ave	602-999-2261	1/9/22
Roy Spaulding		25216 N 15th Ave	602-488-5116	1/9/22
Richard Brodie		25657 N. 17th Ave 85085	623-581-0309	1-9-22

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Gary Grim		25411 N 11th Ave 85085	623 581-3334	1/9/22
Cathy Grim	Cathy Grim	25411 N 11th Ave 85085	623-582-9032	1/9/22
Gwen Currey	Gwen Currey	25511 N. 16th Ave 85085	602-390-3922	1/9/22
JEFF CURREY		25511 N. 16th AVE 85085	602-390-3967	1-9-22
Tim Jordan		25715 N. 15th Ave. 85085	480-518-0296	1-9-22
Adriana Zazueta-Jordan		25715 N. 15th Ave. 85085	602-402-7906	1/9/22
Colw KIDD		1323 W. YEARLING RD 85085	623 587 9215	1/9/22
BARBARA KIDD	BARBARA KIDD	1323 W YEARLING RD 85085	623 587 9215	1/9/22
RICHARD STEWART		1316 W YEARLING RD 85086	623 229 8752	1/9/22
JEFF MIKLUS		1706 W. PARSONS Rd 85085	602 399-1011	1/9/22
CAROL MIKLUS		1706 W. PARSONS Rd	602 399-1014	1/9/22
Dennis Hagarty	DENNIS HAGARTY	25225 N. 11 Ave 85085	602-361-6556	1/9/22
Wade Hagarty	Wade Hagarty	25207 N. 11 Ave 85085	602-513-6207	1/9/22
Laurel Brobic		25687 N 17th Ave 85085	623-640-8384	1/9/22

Oppose the proposed Lumara Planned Unit Development Rezoning Application Case Z-48-21-1 and GPA-DV-2-21-1 **Maintain the character of the Happy Valley County Island rural Community and retain the commercial buffer zone** **Action Petitioned for the Deer Valley Village Planning Committee and the City of Phoenix Planning and Zoning Commission**	Happy Valley 19, LLC, and Toll Brothers filed a rezoning request for commercial (C-O/M-O), and PUD land approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road in north Phoenix. The proposed planned unit development (GPA-DV-2-21-1) consists of 470 Apartments on PUD 13.48, C-O/M-O 5.29 acres, County RU-43 (Pending S-1) (8.19) acres, or 15+ units per acre. Increased housing density and diversity is to help solve the current housing shortage and to serve as a built-in customer base for businesses recently built in the Happy Valley Road Corridor and Norterra employment zone. Lumara, as designed, is in contrast to single-story large-lot properties that have dominated the area for decades. Increased housing density, population, and traffic will conflict with the established neighborhood rural quality and character. New development should be sensitive to and not negatively impact existing residents' community. **We, the undersigned, live in an area long designated for single-family residences. We request that you oppose any multi-family residential development and maintain the current RU-43 and S-1 on the 8.19 acres, the 5.29-acre buffer already zoned for commercial offices (C-O/M-O) and PUD of 13.48 acres.**

Printed Name	Signature	Address	Phone Number	Date
Emily Burke	Emily Burke	26215 N. 17th Drive Phx	602-621-3355	1-10-2
Travis Burke		26215 N. 17th Drive Phx Az	602-621-3355	1-10-2
Brian Rido		1312 W. Parsons RD PHX AZ	623 293-2921	11 Jan 22
[redacted]				
Debra Krasuski	Debra Krasuski	25809 N. 15TH Ave Phx 85085	602 881-6377	1-11-22
Paul Krasuski		25809 N. 15 Ave Phx 85085	6028816372	1-11-22
Rachelle Couch		1703 W Quartz Rock Rd Phx 85085	7604709741	1-11-22
Linda Dye	Linda Dye	1703 W Quartz Rock Rd, 85085	303-710-5651	1-11-22
Justin Mun		1625 W. Parsons Rd	6025779188	1.12.22

GTM GTM GTM

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Floyd Richland	Floyd Richland	1744 W Parsons Dr	602-672-1418	1/8/22

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Happy Valley 19, LLC, and Toll Brothers filed a rezoning request for commercial (C-O/M-O), and PUD land approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road in north Phoenix. The proposed planned unit development (GPA-DV-2-21-1) consists of 470 Apartments on PUD 13.48, C-O/M-O 5.29 acres, County RU-43 (Pending S-1) (8.19) acres, or 15+ units per acre. Increased housing density and diversity is to help solve the current housing shortage and to serve as a built-in customer base for businesses recently built in the Happy Valley Road Corridor and Norterra employment zone.

Lumara, as designed, is in contrast to single-story large-lot properties that have dominated the area for decades. Increased housing density, population, and traffic will conflict with the established neighborhood rural quality and character. New development should be sensitive to and not negatively impact existing residents' community.

We, the undersigned, live in an area long designated for single-family residences. We request that you oppose any multi-family residential development and maintain the current RU-43 and S-1 on the 8.19 acres, the 5.29-acre buffer already zoned for commercial offices (C-O/M-O) and PUD of 13.48 acres.

Printed Name	Signature	Address	Phone Number	Date
Patricia Larson	Patricia A Larson	25107 N 16th Ave, Phoenix, AZ 85085	623-217-4417	1/6/22
Steve LARSON	Steve R Larson	" "	602-620-8331	1/8/22
DORIN SILAGHI	D	25713 N. 16TH AVE, PHOENIX, AZ, 85085	602-561-6416	1/8/22
Cornelia Silaghi	Cornelia S	25713 N 16th Ave, Phoenix, AZ 85085	602-330-2284	1/8/22
Melissa Crawford		1736 W Parsons Rd, Phoenix AZ 85085	623 606-7248	1/11/22
Alan Crawford		1736 W Parsons Rd, Phoenix AZ 85085	602 499-7867	1/11/22
Jacob Crawford	Jacob Crawford	1736 W Parsons Rd, Phoenix AZ 85085	623 696-9165	1/11/22
Madison Crawford	Madison	1736 W Parsons Rd, Phoenix AZ 85085	602 214-5332	1/11/22

Oppose the proposed Lumara Planned Unit Development

Rezoning Application Case Z-48-21-1 and GPA-DV-2-21-1

Maintain the character of the Happy Valley County Island rural Community and retain the commercial buffer zone

Action Petitioned for the Deer Valley Village Planning Committee and the City of Phoenix Planning and Zoning Commission

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Printed Name	Signature	Address	Phone Number	Date
Jason Schmidt		1616 W Yearling Rd Phoenix AZ 85085	623 3020052	1-10-22
Harmoni Schmidt	Harmoni Schmidt	1616 W. Yearling Rd, PHX AZ 85085	952.240.1376	1/10/22
Wayne Hudgeons	Wayne Hudgeons	25406 N. 17th Ave Phx, AZ 85085	623-340-0579	1/10/22
Russell Liebman	Russell Liebman	25408 N 17th AVE PHX AZ 85085	928-295-8659	1/10/22
Kimberly Eller	Kimberly Eller	25406 N. 17th Ave Phx. AZ 85085	6024189407	1-11-22

Oppose the proposed Lumara Planned Unit Development Rezoning Application Case Z-48-21-1 and GPA-DV-2-21-1 **Maintain the character of the Happy Valley County Island rural Community and retain the commercial buffer zone**	Happy Valley 19, LLC, and Toll Brothers filed a rezoning request for commercial (C-O/M-O), and PUD land approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road in north Phoenix. The proposed planned unit development (GPA-DV-2-21-1) consists of 470 Apartments on PUD 13.48, C-O/M-O 5.29 acres, County RU-43 (Pending S-1) (8.19) acres, or 15+ units per acre. Increased housing density and diversity is to help solve the current housing shortage and to serve as a built-in customer base for businesses recently built in the Happy Valley Road Corridor and Norterra employment zone. Lumara, as designed, is in contrast to single-story large-lot properties that have dominated the area for decades. Increased housing density, population, and traffic will conflict with the established neighborhood rural quality and character. New development should be sensitive to and not negatively impact existing residents' community. **We, the undersigned, live in an area long designated for single-family residences. We request that you oppose any multi-family residential development and maintain the current RU-43 and S-1 on the 8.19 acres, the 5.29-acre buffer already zoned for commercial offices (C-O/M-O) and PUD of 13.48 acres.**
Action Petitioned for the Deer Valley Village Planning Committee and the City of Phoenix Planning and Zoning Commission	

Printed Name	Signature	Address	Phone Number	Date
Austin Bottoms	Austin B	1720 W Parsons Rd 85085 PHX AZ	602-247-1093	01/12/22
Alicia Bottoms	Alicia Bottoms	1720 W Parsons RD Phx AZ 85085	623-210-6527	1-12-22

se the proposed Lumara Planned Unit lopment Rezoning Application Case Z-48-21-1 and GPA-DV-2-21-1 **Maintain the character of the Happy Valley County Island rural Community and retain the commercial buffer zone** **Action Petitioned for the Deer Valley Village Planning Committee and the City of Phoenix Planning and Zoning Commission**	Happy Valley 19, LLC, and Toll Brothers filed a rezoning request for commercial (C-O/M-O), and PUD land approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road in north Phoenix. The proposed planned unit development (GPA-DV-2-21-1) consists of 470 Apartments on PUD 13.48, C-O/M-O 5.29 acres, County RU-43 (Pending S-1) (8.19) acres, or 15+ units per acre. Increased housing density and diversity is to help solve the current housing shortage and to serve as a built-in customer base for businesses recently built in the Happy Valley Road Corridor and Norterra employment zone. Lumara, as designed, is in contrast to single-story large-lot properties that have dominated the area for decades. Increased housing density, population, and traffic will conflict with the established neighborhood rural quality and character. New development should be sensitive to and not negatively impact existing residents' community. **We, the undersigned, live in an area long designated for single-family residences. We request that you oppose any multi-family residential development and maintain the current RU-43 and S-1 on the 8.19 acres, the 5.29-acre buffer already zoned for commercial offices (C-O/M-O) and PUD of 13.48 acres.**

Printed Name	Signature	Address	Phone Number	Date
John Crowell		1703 W Quarterback Rd	7207090093	1-8-22

Oppose the proposed Lumara Planned Unit Development Rezoning Application Case Z-48-21-1 and GPA-DV-2-21-1 **Maintain the character of the Happy Valley County Island rural Community and retain the commercial buffer zone**	Happy Valley 19, LLC, and Toll Brothers filed a rezoning request for commercial (C-O/M-O), and PUD land approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road in north Phoenix. The proposed planned unit development (GPA-DV-2-21-1) consists of 470 Apartments on PUD 13.48, C-O/M-O 5.29 acres, County RU-43 (Pending S-1) (8.19) acres, or 15+ units per acre. Increased housing density and diversity is to help solve the current housing shortage and to serve as a built-in customer base for businesses recently built in the Happy Valley Road Corridor and Norterra employment zone. Lumara, as designed, is in contrast to single-story large-lot properties that have dominated the area for decades. Increased housing density, population, and traffic will conflict with the established neighborhood rural quality and character. New development should be sensitive to and not negatively impact existing residents' community. **We, the undersigned, live in an area long designated for single-family residences. We request that you oppose any multi-family residential development and maintain the current RU-43 and S-1 on the 8.19 acres, the 5.29-acre buffer already zoned for commercial offices (C-O/M-O) and PUD of 13.48 acres.**
Action Petitioned for the Deer Valley Village Planning Committee and the City of Phoenix Planning and Zoning Commission	

Printed Name	Signature	Address	Phone Number	Date
~~PEE~~ PO RIGUEZ	RA Rodriguez	5915 W. Redfield	602-978-3414	1-12-22
Megan Rock	Megan Rock	25256 N. 11th Ave	602-820-5711	1-12-22
Jeffrey Rock		25256 N. 11th Ave	602-228-8528	1-12-22

Oppose the proposed Lumara Planned Unit Development Rezoning Application Case Z-48-21-1 and GPA-DV-2-21-1 **Maintain the character of the Happy Valley County Island rural Community and retain the commercial buffer zone**	Happy Valley 19, LLC, and Toll Brothers filed a rezoning request for commercial (C-O/M-O), and PUD land approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road in north Phoenix. The proposed planned unit development (GPA-DV-2-21-1) consists of 470 Apartments on PUD 13.48, C-O/M-O 5.29 acres, County RU-43 (Pending S-1) (8.19) acres, or 15+ units per acre. Increased housing density and diversity is to help solve the current housing shortage and to serve as a built-in customer base for businesses recently built in the Happy Valley Road Corridor and Norterra employment zone. Lumara, as designed, is in contrast to single-story large-lot properties that have dominated the area for decades. Increased housing density, population, and traffic will conflict with the established neighborhood rural quality and character. New development should be sensitive to and not negatively impact existing residents' community. **We, the undersigned, live in an area long designated for single-family residences. We request that you oppose any multi-family residential development and maintain the current RU-43 and S-1 on the 8.19 acres, the 5.29-acre buffer already zoned for commercial offices (C-O/M-O) and PUD of 13.48 acres.**
Action Petitioned for the Deer Valley Village Planning Committee and the City of Phoenix Planning and Zoning Commission	

Printed Name	Signature	Address	Phone Number	Date
Timothy Bottoms		1720 W. Parsons Rd.	602-725-3205	1/11/22
DAVID Rockey		25440 N. 11th Ave	515 4685	1/11/22
Megan Falk	Megan Falk	1625 W. Parsons Rd	9499129202	1-11-22
Alex Wade		1625 W Parsons Rd.	480 686 0700	1-11-22

Oppose the proposed Lumara Planned Unit Development Rezoning Application Case Z-48-21-1 and GPA-DV-2-21-1 **Maintain the character of the Happy Valley County Island rural Community and retain the commercial buffer zone** **Action Petitioned for the Deer Valley Village Planning Committee and the City of Phoenix Planning and Zoning Commission**	Happy Valley 19, LLC, and Toll Brothers filed a rezoning request for commercial (C-O/M-O), and PUD land approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road in north Phoenix. The proposed planned unit development (GPA-DV-2-21-1) consists of 470 Apartments on PUD 13.48, C-O/M-O 5.29 acres, County RU-43 (Pending S-1) (8.19) acres, or 15+ units per acre. Increased housing density and diversity is to help solve the current housing shortage and to serve as a built-in customer base for businesses recently built in the Happy Valley Road Corridor and Norterra employment zone. Lumara, as designed, is in contrast to single-story large-lot properties that have dominated the area for decades. Increased housing density, population, and traffic will conflict with the established neighborhood rural quality and character. New development should be sensitive to and not negatively impact existing residents' community. **We, the undersigned, live in an area long designated for single-family residences. We request that you oppose any multi-family residential development and maintain the current RU-43 and S-1 on the 8.19 acres, the 5.29-acre buffer already zoned for commercial offices (C-O/M-O) and PUD of 13.48 acres.**

Printed Name	Signature	Address	Phone Number	Date
Vicki Hunt		25839 N. 19th Ave Phx 85085	(623) 204-1575	1/12/22
Bobette Koen		25811 N. 15th Ave Phx 85085	617 838-8282	1/12/22
MARJORIE MCCRO		1647 W. BRILES RD PHX 85085	708 217-5285	1/12/22
BAKER MURPHY		1647 W. BRILES RD PHX 85085	219 308-8516	1/12/22

Oppose the proposed Lumara Planned Unit Development Rezoning Application Case Z-48-21-1 and GPA-DV-2-21-1 **Maintain the character of the Happy Valley County Island rural Community and retain the commercial buffer zone**	Happy Valley 19, LLC, and Toll Brothers filed a rezoning request for commercial (C-O/M-O), and PUD land approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road in north Phoenix. The proposed planned unit development (GPA-DV-2-21-1) consists of 470 Apartments on PUD 13.48, C-O/M-O 5.29 acres, County RU-43 (Pending S-1) (8.19) acres, or 15+ units per acre. Increased housing density and diversity is to help solve the current housing shortage and to serve as a built-in customer base for businesses recently built in the Happy Valley Road Corridor and Norterra employment zone. Lumara, as designed, is in contrast to single-story large-lot properties that have dominated the area for decades. Increased housing density, population, and traffic will conflict with the established neighborhood rural quality and character. New development should be sensitive to and not negatively impact existing residents' community. **We, the undersigned, live in an area long designated for single-family residences. We request that you oppose any multi-family residential development and maintain the current RU-43 and S-1 on the 8.19 acres, the 5.29-acre buffer already zoned for commercial offices (C-O/M-O) and PUD of 13.48 acres.**
Action Petitioned for the Deer Valley Village Planning Committee and the City of Phoenix Planning and Zoning Commission	

Printed Name	Signature	Address	Phone Number	Date
JAMES WHATLEY		25839 N. 19th Ave. Phx AZ 85085	480-297-4537	1-11-22
Julie Burns	Julie Burns	1717 W Yearling Rd	6026453403	"
Julie Burns	Julie Burns	1732 W. Yearling Rd	6026453403	"

Oppose the proposed Lumara Planned Unit Development Rezoning Application Case Z-48-21-1 and GPA-DV-2-21-1 **Maintain the character of the Happy Valley County Island rural Community and retain the commercial buffer zone**	Happy Valley 19, LLC, and Toll Brothers filed a rezoning request for commercial (C-O/M-O), and PUD land approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road in north Phoenix. The proposed planned unit development (GPA-DV-2-21-1) consists of 470 Apartments on PUD 13.48, C-O/M-O 5.29 acres, County RU-43 (Pending S-1) (8.19) acres, or 15+ units per acre. Increased housing density and diversity is to help solve the current housing shortage and to serve as a built-in customer base for businesses recently built in the Happy Valley Road Corridor and Norterra employment zone. Lumara, as designed, is in contrast to single-story large-lot properties that have dominated the area for decades. Increased housing density, population, and traffic will conflict with the established neighborhood rural quality and character. New development should be sensitive to and not negatively impact existing residents' community.
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Printed Name	Signature	Address	Phone Number	Date
Valerie King		1732 W. Yearling Rd., Phoenix, AZ 85085	325-668-8910	01/11/22
David Beaver		1732 W. Yearling Rd., Phoenix, AZ 85085	602-330-2872	01/11/22

David O Simmons

From: matt.j.lupo@wellsfargo.com
Sent: Friday, December 10, 2021 4:09 PM
To: David O Simmons
Cc: ngriemsmann@swlaw.com; pjaramillo@swlaw.com
Subject: RE: Request for Link for Zoning Case Z-48-21-1

Hello David,

I apologize I had a family emergency come up last night so I was not able to attend the call. I would like to show my support of the Toll Brothers and their proposed project on 19th ave. I believe Toll brother builds a great product and confident that it will bring quality living spaces to the area.

Thank you

Matt Lupo

Branch Manager
22nd Ave And Happy Valley

Wells Fargo Bank, N.A | 2123 W. Happy Valley Rd | Phoenix, AZ 85085
Mac S4104-011
Tel 623-587-3700 | Fax 623-587-3707
NMLS ID 774377

Matt.j.lupo@wellsfargo.com

From: David O Simmons <david.simmons@phoenix.gov>
Sent: Tuesday, December 7, 2021 8:26 AM
To: Lupo, Matthew J. <matt.j.lupo@wellsfargo.com>
Cc: Griemsmann, Noel <ngriemsmann@swlaw.com>; Jaramillo, Paola <pjaramillo@swlaw.com>
Subject: RE: Request for Link for Zoning Case Z-48-21-1

Mr. Lupo,

Thank you for reaching out in regard to Rezoning Case No. Z-48-21-1 and GPA-V-2-21-1. I have saved your comments below to the case file to be included as part of the public record. I have also cc'd the applicant so they are aware of your support.

The Deer Valley Village Planning Committee (DV VPC) will hear the cases at the December 9, 2021 meeting. I have added your name to the speaker roster for the December 9, 2021 meeting. Please click on the registration link on the attached agenda to register for the meeting.

The Planning Commission will hear the case at the January 6, 2022 meeting and the City Council will make a final decision on February 2, 2022.

The applicants hearing draft of the development narrative can be reviewed here:
https://www.phoenix.gov/pdd/planning-zoning/pzservices/pud-cases

The cases are filed by case number (Z-48-21-1)

Please let me know if you have additional questions or concerns.

Respectfully,

David Simmons, MA
Paradise Valley & Deer Valley
Village Planner *II
200 West Washington Street
3rd Floor
Phoenix, AZ 85003
602-262-4072
david.simmons@phoenix.gov

From: matt.j.lupo@wellsfargo.com <matt.j.lupo@wellsfargo.com>
Sent: Monday, December 6, 2021 5:50 PM
To: David O Simmons <david.simmons@phoenix.gov>
Subject: Request for Link for Zoning Case Z-48-21-1

Hello David,

I would like to request a link for case Z-48-21-1, items #3,4 and request to speak in support of Proposed project at 19th ave and Happy Valley road.

Thank you

Matt Lupo

Branch Manager
22nd Ave And Happy Valley

Wells Fargo Bank, N.A | 2123 W. Happy Valley Rd | Phoenix, AZ 85085
Mac S4104-011
Tel 623-587-3700 | Fax 623-587-3707
NMLS ID 774377

Matt.j.lupo@wellsfargo.com

David O Simmons

From: RS B <rsbatl2012@gmail.com>
Sent: Wednesday, December 15, 2021 8:34 AM
To: Council District 1 PCC
Cc: David O Simmons
Subject: Toll Brothers project

Dear Councilmember O'Brien.

My name is Rosa Somohano and I am a resident in North Phoenix

Our area is growing tremendously and I am thankful for the many employers moving into the area. What is needed now is more housing options. I received a presentation on the proposed Toll Brothers projects to be located at Happy Valley Rd. and 19thAve and I really like it. It has so many great amenities and most importantly is a higher end development. This will encourage and promote safety for our area and be attractive to the many employees who are now working in our area.

I also appreciate that they will be screening residents for income and criminal history, developing out some of 19th Ave and once finished, will enhance that corner that is badly in need of development.

I hope you will consider supporting this project, which I believe will be perfect for our area

Thank you for your time. Happy Holidays.

Best,

Rosa Somohano

2526 W Rancho Laredo Dr

Phoenix, AZ 85085

(770)595-2384

David O Simmons

From: SCIA <sonorancitizens@gmail.com>
Sent: Wednesday, December 15, 2021 1:45 PM
To: Council District 1 PCC
Cc: David O Simmons
Subject: Please support Toll Brothers at 19th Avenue and Happy Valley Road

Dear Councilmember O'Brien,

My name is Clif Freedman and I am the President of Sonoran Citizens Improvement Association. We represent the area of zip code 85085.
Our mission is to advocate for proper development that supports the housing needs in our area.

With the large number of employers moving into Phoenix and particularly into the North Valley, it is imperative we offer housing options.
A mixture of options is necessary to support the various preferences of those individuals moving into the area. When looking at multi family, we specifically prefer controlled environments that promote and ensure the safety and aesthetics our northern area enjoys. For this and many other reasons we whole heartily support the proposed Toll Brothers project located at 19th Ave and Happy Valley Rd.

This project will:

- Maintain a Gated Entry
- Will be Screening residents for income and criminal history
- Provides an amazing building design that includes enhanced landscape and superior architecture
- It's height is appropriate for the area
- IT will promote walkability in the area
- It also offers and extensive menu of amenities that screams "high end" housing.

Further:

- It takes an undeveloped piece of land and enhances that corner
- It is a downzoning – which is incredibly important to our association. The downzoning will decrease traffic in the area
- This project will be building out 19th Ave – which is incredibly valuable for current traffic needs
- Toll Brothers is a reputable company who holds a reputation of building and managing beautiful properties.

For these reasons – I encourage your support of this project.
The additional housing is greatly needed in the area and this is exactly the type of multi housing we should celebrate.

Thank you for your time.

Clif Freedman
1716 West Buckhorn Trail
Phoenix, AZ 85085
623-444-9445

Clif Freedman, President

Sonoran Citizens Improvement Association SCIA
SonoranCitizens@gmail.com

David O Simmons

From: matthew crook <matthewcr623@gmail.com>
Sent: Wednesday, December 15, 2021 4:13 PM
To: David O Simmons; Council District 1 PCC
Subject: Case #Z-48-21-1 Toll Brothers Happy Valley and 19th Ave

Council Members O'Brien and Simmons,

I support this project at 19th Ave and Happy Valley. It's a needed improvement to the area. More housing and business for the area.

Matthew Crook
General Manager IHOP 3083
2103 W Happy Valley Rd, Phoenix, AZ 85085

David O Simmons

From: brebek3@aol.com
Sent: Wednesday, December 15, 2021 4:48 PM
To: Council District 1 PCC; David O Simmons
Subject: Case # z-48-21-1, Toll Brothers - Happy Valley and 19th ave

Working for businesses in the area at 19 ave and Happy Valley. I support this project. This type of housing is needed in the area. This also supports revenue for businesses in the area

David O Simmons

From: Amer Atwan <amer@eatmrmesquite.com>
Sent: Thursday, December 16, 2021 6:12 PM
To: Council District 1 PCC; David O Simmons
Subject: Reg: Case # Z-48-21-1 Toll Brothers Happy Valley And 19th AVE

Council Members: O'Brien and Simmons

I support this project. House of this type is needed in this neighborhood. It will also create more revenue for the businesses and city

Amer atwan: Director Of Operations

Mesquite Fresh Street Mex

1730 West Happy Valley Rd
Phoenix Az, 85085

--
Amer Atwan
Corporate team member
Phone Number: (602) 775 3019

David O Simmons

From: Jennifer Hammond <jen5hammond5@gmail.com>
Sent: Friday, December 17, 2021 1:22 PM
To: Council District 1 PCC
Cc: David O Simmons
Subject: Case # z-48-21-1

I support this project. Housing of that type is needed in this area. It will also creat more revenue for the businesses and city.

Thank you,
Jennifer Hammond
IHOP
2103 w Happy Valley Rd, Phoenix, AZ 85085

David O Simmons

From: Scott Dennin <sdennin@smartstop.com>
Sent: Friday, December 17, 2021 2:55 PM
To: counsil.district.1@phoenix.gov
Cc: David O Simmons
Subject: Toll Brothers Happy Valley and 19th Ave

Counsel Members: O'Brien and Simmons

We support this project. Housing of that type is needed in this neighborhood. It will also create more revenue for the business and city.

Scott Dennin - District Trainer
AZ - District 015
SmartStop Self Storage
(602) 657-6725 - Cell
www.smartstop.com [smartstop.com]

David O Simmons

From: Lan Ngo <lankngo@yahoo.com>
Sent: Friday, December 17, 2021 3:11 PM
To: Council District 1 PCC
Cc: David O Simmons
Subject: Reg: Case # Z-48-21-1

Toll Brothers Happy Valley and 19th Ave
Council Members: O'Brien and Simmons

I support this project. Housing of that type is needed in this neighborhood. It will also create more revenue for the businesses and city.

Name: Lan Ngo

Company:
Happy Feet Nails & Spa 3
1730 W Happy Valley Rd Suite 103
Phoenix AZ 85085

623-248-54209

David O Simmons

From: Wayne Hudgeons <cwcwayne99@gmail.com>
Sent: Thursday, December 9, 2021 10:23 AM
To: David O Simmons
Subject: GPA-DV-2-21-1 (Companion Case Z-48-21-1):

My name is Wayne Hudgeons and I live at 25406 N 17th ave.

I am writing to let you know that I am opposed to the request to amend the General Plan Land Use of the 13.48 acres. I feel that this community is great with the zoning that we have and that is why we purchased a place to call home. The rezoning to multi family dwellings or apartments does not go with the character of our neighborhood. When we bought a house here to make our long term home we knew there would be development, we are not opposed to development. We made a conscious choice after looking at the zoning, knowing that there was the study for 300 feet of commercial along Happy Valley and there would be a medical building on 19th ave, that would add value to our community. The rest of the undeveloped land in the General Land Use Map and current zoning was R-43. Another reason would be the extra noise and light pollution would not be a good fit with our rural community of horses and livestock, even with light shades and directional lighting it very stressful to horses. The extra traffic that would come through our private community maintained roads would also be a major burden.

Best Regards,

Wayne Hudgeons
623-340-0579

David O Simmons

From: wmags@aol.com
Sent: Thursday, December 9, 2021 10:44 AM
To: David O Simmons
Subject: Z-48-21-1 and DV:2-21-1

This is Martha Tallant 25814 N. 17th Ave, Phoenix,Az 85085. I am requesting that you please consider our way of life. We are a rural area, we want to stay this way. One house per acre.
I am against placing apartments of any kind in this small area. I am surprised at all the apartment buildings along 19th Ave North of Pinnacle Peak, along Happy Valley at 17th ave ,again at 35th ave and along Jomax and I 17. We simply do not need any more apartments.

Thank you for listening and please give our area some consideration.

Mrs Martha Tallant
25814 N, 17th Ave
Phoenix,Az 85085

David O Simmons

From: Laurel Brodie <laurel@clearskies.com>
Sent: Tuesday, December 14, 2021 10:07 AM
To: David O Simmons
Cc: Council District 1 PCC; Melissa Crawford; Julie Burns
Subject: Re: Z-48-21-1 : (Companion Case No. GPA-DV-2-21-1) - OBJECTIONS

Mr. Simmons,

I was unable to join this meeting, but certainly we are quite disappointed from the things I have heard about how the meeting in general was conducted and the evident Approval by the Commission. We had high hopes based upon earlier Staff comments involving the protection from high density for the east side of 19th Ave.

I have several Inquiries / Requests related to this meeting / decision;

First, is there a link to a visual and audio recording of this meeting as I would like to review that footage, and are there transcribed minutes that can be reviewed ? I would appreciate a link to any and all pertaining to that.

Secondly, in Maricopa County there is an opportunity to Appeal decisions made by their Commission,

RE:

Appeal of Planning and Zoning Commission Recommendation

1. **Appeal Form** If the Planning & Zoning Commission recommends approval of a particular case it will be placed on a consent agenda for the Board of Supervisors hearing. However, if this appeal form is received within 15 calendar days following Commission hearing, then the agenda item will be placed on the regular agenda for the Board of Supervisors hearing.

does the City offer a similar or any appeal process to your decisions?

My understanding from things I have heard is that the presenter for Toll Brothers and another person stated many untruths in reference to our neighborhood and the people that reside here.That is one of the many issues that I feel we should have the opportunity to rebut, as well as being able to examine the names on the list of people he purported were all in favor of this build. I also understand that there was a gentleman speaking that stated or implied that he was someone with some kind of authority to represent the people of the 85085 zip code. I would like to know more on that issue as well. I can promise you that he does not in any way represent anyone that we are aware of within our County Island and those are the people that should be listened to with the most concern.

None of us are against housing on this property, we are aware housing is in short supply, but that supply should be a variety of offerings, as apartments are generally not where people choose to live their entire lives. And as stated over and over again throughout the years by the Deer Valley Planning Commission, transitional areas such as ours where people do have actual homes with actual families that are already well established in their lives on R-43 land deserve some thoughtful consideration as to what will appropriately border their properties. We are having to maneuver our way through this process all while we work our full time jobs and juggle life.

Now we are all presented with the biggest threat to our environment and Rural zoning and we find it quite unfair that people with deep pockets and no real ties to our community can just come in and bully their way through a process without someone giving careful consideration to those of us who live here (and we don't feel that is happening).

Maybe it would be appropriate for the people who will make the final decisions to come out to our neighborhood to see and speak to those of us who actually RESIDE here, we can't offer fancy presentations, but coffee and cake could be provided, so consider that an open invitation Ms. O'Brien and colleagues. I'm sure one of us would be happy to host.

I would appreciate any and all information that you can supply to help us pursue these matters further.

Respectfully,

Laurel Brodie
25657 N. 17th Ave
Phoenix, AZ 85085

As an example we would like to point out that we do not feel that the principals quoted below are being applied to our neighborhood and this developers request. We at a minimum deserve more time and ways to present our side of this, keeping in mind we have limited funds but alot of heart. Working within the numerous and diverse work schedules is challenging for us all which is why we ask to somehow find more time for us to present our case.

https://www.phoenix.gov/villagessite/Documents/pdd_pz_pdf_00472.pdf?fbclid=IwAR0iWTGrEX7DmCh5vtN_x-995n-sdKyXOZWaROqUKVlXs_by27dEUXBoVAY

Quotes;
"Protect and enhance the character of each neighborhood and its various housing lifestyles through new development that is compatible in scale, design, and appearance"
"Require appropriate transitions/buffers between neighborhoods and adjacent uses"
"The village is characterized by its desert setting and mountains, diverse and growing communities, and large employment centers. It is distinguished by its attraction for business, variety of housing types and density ranges"
"Additionally, the village is an active area of the city for the construction of single-family homes and redevelopment. Development within the Deer Valley Village should integrate into and incorporate elements of the natural desert environment."

https://www.phoenix.gov/pddsite/Documents/PlanPHX%20General%20Plan%202015%20Executive%20Summary.pdf

A BLUEPRINT FOR A CONNECTED OASIS - Phoenix, Arizona

Exete Say THE BLUEPRINT: A STRATEGIC SET OF TOOLS Using the Five Core Values as the foundation for the Vision, the updated General Plan will also contain a list of strategic Tools within each of the Five Core Values that will be implemented by staff,

Quotes;

"Phoenix will continue to be like no other city in the world. A place steeped in history, defined by its beautiful desert setting, activated by unique neighborhoods and
businesses"
"Celebrate our Diverse Communities and Neighborhoods"
" Certainty & Character - Through the development of guiding principles for every Phoenix neighborhood, **residents will have greater levels of certainty about their quality of life and protections to ensure that their neighborhood remains unique and livable."**

From: Laurel Brodie <laurel@clearskies.com>
Sent: Tuesday, January 4, 2022 6:06 PM
To: PDD Planning Commission <pdd.planningcomm@phoenix.gov>; undefined <IMCEAUNDEFINED-enrique+2Ebojorquez-gaxiola+40phoenix+2Egov@namprd04.prod.outlook.com>
Cc: Julie Burns <julieb@hawkeyecustomlandscaping.com>; Melissa Crawford <melissa@empirepumpcorp.com>
Subject: City of Phoenix - GPA-DV-2-21-1 and Z-48-21-1

The Zoning in our County Island is R-43 and at least 50% plus of our County Island built and conform with R-43 zoning. That is why we bought and built on this property 30+ years ago. At a Minimum your decisions should lean heavily to those of us that did not buy property zoned for something else becasue it was cheaper than buying land zoned for our intended purpose. **BOTH** of these proposed developments (even though one is City and the other County) are taking advantage of the residents within this island and obviously have much deeper pockets than we.
The people that own and reside in the area that will be greatly impacted by this type of density change. Therefore the opposition from **homeowners** within our entire County Island area should be given the most weight.
It should also take into account the following;

The Owners of Parcels - 210-10-008B - 210-10-008D - 210-10-008F - 210-10-008G - should have NO VOICE in this development as they have already been strong armed into selling out to the developer

The Owners of The Bungalows at Norterra should also have NO VOICE Parcels 210-10-027A , 210-10-031A, 210-10-020D, 210-1-=020C, 210-10-010
And both Developers should be treated as hostile voices as they are supporting each other in their bids to effect unalterable life changing events within our land-locked County Island.
The majority of the Parcels within our boundaries (19th Ave-Jomax-CAP-Happy Valley) are Owned and Occupied Homes built within the constraints of Maricopa County R-43 Zoning. Based upon Documents published over the Years by the Deer Valley Planning Commission, we had every reason to expect our area would remain as is (even if the City of Phoenix successfully annexed us all) . We understand there is a need for housing, buy there is a need for all types of housing and anything built of the vacant lands within our boundaries should be with that in mind. Multi Family dwelling is not transitional to R-43. Single Family Homes on no less than .33 acres could be seen as transitional. It might also be seen as quite desirable to those who would prefer not to live in high density developments.
There have been statements by the Developers and some Planning Staff that would imply the residents of our area do not really care as we haven't been vocal enough or "organized" in our opposition to these Developments. Please keep in mind that especially over the last 2 years life has become very busy and stressful for many many people. None of us are being paid to sit in these meetings over and over again, it is difficult to even keep up with any information as written letters are not sent to each of us as homeowners, signs are installed with no dates, then dates, then dates that change AND we are having to OPPOSE (2) developments side by side that both want the same outcome AT THE SAME TIME !! It may not seem like it to you but we are trying our best to show you with the resources and time that we have. I have spent many of my days off work speaking with and trying to compose coherent and to the point letters. I don't find that easy as I am a long winded person (I am aware) but I am also passionate and find it difficult to be anything else when we are speaking of losing what we have spent our lives building.

Phoenix is in need of ALL TYPES of housing and our perimeter has already been subjected to higher density developments, now you want to come directly INTO our small "Island area" with even higher density allowances. I cannot comprehend how that can be defined as Transitional. Just one of these developments will increases the current population by probably more than 300 %. We implore you to protect those that need protecting and VOTE NO to these changes

Respectfully

Richard & Laurel Brodie

25657 N. 17th Avenue

Phoenix AZ 85085

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 77

Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-48-21-1 (Lumara PUD) - Approximately 270 Feet North of the Northeast Corner of 19th Avenue and Happy Valley Road (Ordinance G-6958)

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-48-21-1 and rezone the site from C-O/M-O (Commercial Office/Major Office option) and Maricopa County RU-43 (Pending S-1) (Pending Ranch or Farm Residence District) to PUD (Planned Unit Development) to allow multifamily residential. This is a companion case and must be heard following GPA-DV-2-21-1.

Summary

Current Zoning: C-O/M-O and RU-43 (Maricopa County)
Proposed Zoning: PUD
Acreage: 13.48 acres
Proposed Use: Multifamily residential

Owner: Happy Valley 19, LLC
Applicant: Toll Brothers
Representative: Nick Wood, Esq., Snell & Wilmer, LLP

Staff Recommendation: Approval, subject to stipulations.
VPC Info: The Deer Valley Village Planning Committee heard the case on Sept. 9, 2021 for information only.
VPC Action: The Deer Valley Village Planning Committee heard the case on Dec. 9, 2021 and recommended approval, per the staff recommendation, by a vote of 10-0-1.
PC Action: The Planning Commission heard the case on Jan. 6, 2022 and recommended approval, per the Deer Valley Village Planning Committee recommendation with an additional and modified stipulation, by a vote of 6-2.
The Planning Commission recommendation was appealed on Jan. 13, 2022.

Location

Approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road.
Council District: 1

Parcel Addresses: 25255 N. 19th Ave.; and 1734, 1737, 1745 and 1748 W. Desert Hollow Drive.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-48-21-1) FROM C-O/M-O (COMMERCIAL OFFICE/MAJOR OFFICE OPTION) AND MARICOPA COUNTY RU-43 (PENDING S-1) (MARICOPA COUNTY RU-43, PENDING RANCH OR FARM RESIDENCE DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT DISTRICT).

_____

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

SECTION 1. The zoning of a 13.48-acre site located approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road in a portion of Section 6, Township 4 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "C-O/M-O" (Commercial Office/Major Office option) and "Maricopa County RU-43 (Pending S-1)" (Maricopa County RU-43, Pending Ranch or Farm Residence District) to "PUD" (Planned Unit Development District).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit "B."

DRAFT

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. An updated Development Narrative for the Lumara PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped November 22, 2021, as modified by the following stipulations:

    a. Front Cover: Remove "HEARING DRAFT" and revise submittal date information on bottom of the cover page as follows:
    1st Submittal: July 7, 2021
    2nd Submittal: September 10, 2021
    3rd Submittal: October 07, 2021
    Hearing Draft: November 22, 2021
    City Council adopted: TBD

    b. Page 9; The streetscape adjacent to 19th Avenue requires the A Street Section. An A section requires detached sidewalks where a minimum 5-foot-wide sidewalk is required, and a minimum 13-foot-wide landscape area is required

    c. Page 8; add Minimum, 15 percent open space to development standards table.

2. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

3. The developer shall construct and landscape a 24-foot-wide median in 19th Avenue. The median shall be designed to provide full movement (north/south/east/west) at 19th Avenue and Desert Hollow Drive, as approved by the Planning and Development and Street Transportation Departments.

4. Full access-control to the site shall only be permitted at 19th Avenue and the Desert Hollow Drive alignment, as approved by the Planning and Development Department.

DRAFT

5. The applicant shall submit a Traffic Impact Study to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City.

6. The property owner shall record documents that disclose the existence, and operational characteristics of the Deer Valley Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

7. The developer shall provide documentation to the City of Phoenix prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a “No Hazard Determination” from the FAA. If temporary equipment used during construction exceeds the height of the permanent structure a separate Form 7460-1 shall be submitted to the FAA and a “No Hazard Determination” obtained prior to the construction start date.

8. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

9 Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 2nd day of February, 2022.

_____
MAYOR

ATTEST:

_____

DRAFT

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:

_____
_____

REVIEWED BY:

_____
Jeffrey Barton, City Manager

Exhibits:
A – Legal Description (2 Pages)
B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-48-21-1

Parcel No. 1 Per Deed 20060434557 (APN 210-10-030B):
Lots 39, Section 6, Township 4 North, Range 3 East of The Gila and Salt River Base and Meridian, Maricopa County, Arizona

Except all coal, oil, gas and other mineral deposits as reserved in patent from the United States of America.

Parcel No. 2 Per Deed 20060434557 (APN 210-10-023A):
Lots 43, Section 6, Township 4 North, Range 3 East of The Gila And Salt River Base and Meridian, Maricopa County, Arizona

Except all coal, oil, gas and other mineral deposits as reserved in patent from the United States of America.

Parcel No. 3 Per Deed 20180399909 (APN 210-10-008F):
Lot 40, Section 6, Township 4 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

Except the North 330 feet of the East 165 feet thereof, which said Lot 40 is also known as the West Half of the Northeast Quarter of the Southwest Quarter of the Southwest Quarter of Section 6, Township 4 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

Except the South half;

Except all coal, oil, gas and other mineral deposits as reserved in patent from the United States of America.

Parcel No. 4 Per Deed 200907986 (APN 210-10-008G):
The East 165 Feet of The North 339 Feet of G.L.O. Lot 40 (sometimes referred to as the west half of the Northeast Quarter of the Southwest Quarter of the Southwest Quarter) of Section 6, Township 4 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

An undivided interest in that part of G.L.O. Lot 34 of Section 6, Township 4 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

Beginning 50 Feet North of the Southwest Corner of said G.L.O. Lot 34;

Thence North 20 Feet;

Thence East 20 Feet;

DRAFT

Thence South 20 Feet;

Thence West 20 Feet to the Point Of Beginning;

Except all coal, oil, gas and other minerals as reserved in the patent to the United States of America, Recorded in Docket 4299, Page 244.

Parcel No. 5 Per Deed Number 20120544055 (APN 210-10-008B):
The Southwest Quarter of Lot 40, Section 6, Township 4 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT all coal, oil, gas and other mineral deposits as reserved in the Patent.

Parcel No. 6 Per Deed Number 20150160050 (APN 210-10-008D):
The Southeast Quarter of the following described property:

Lot 40, Section 6, Township 4 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Except all the coal, oil, gas and other mineral deposits as reserved in the patent to said land.

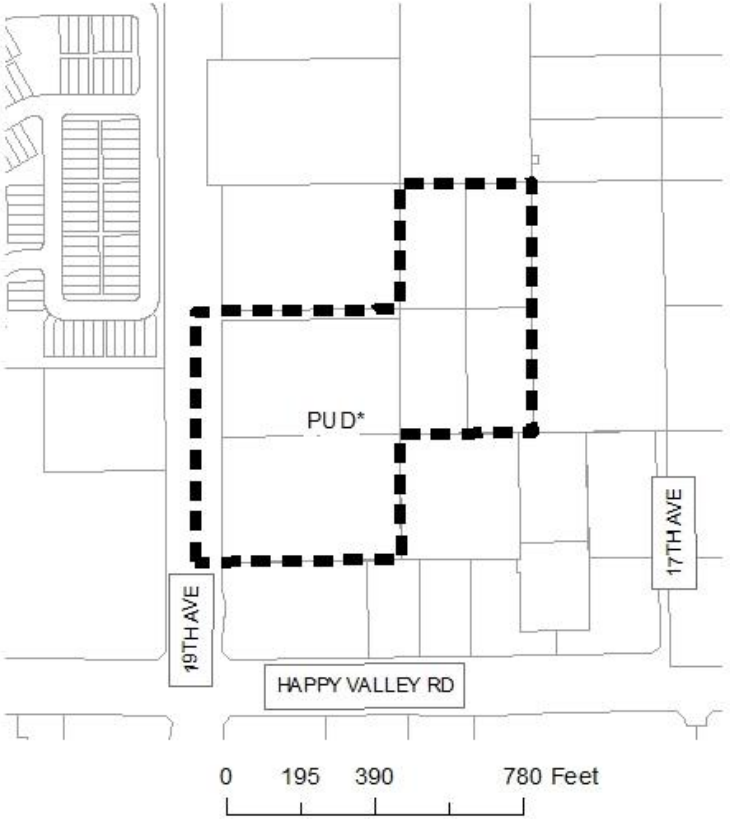
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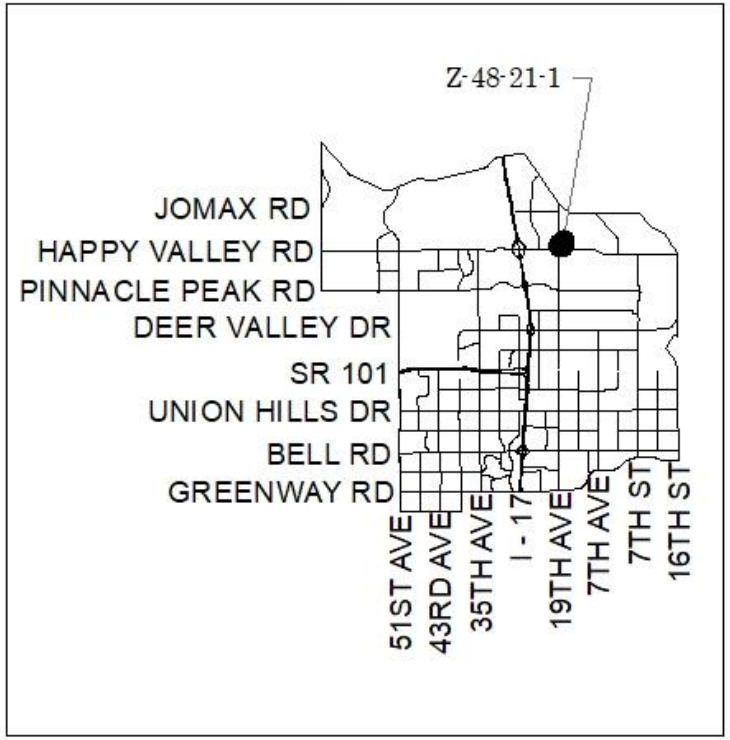
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - -

Zoning Case Number: Z-48-21-1
Zoning Overlay: N/A
Planning Village: Deer Valley





NOT TO SCALE

N

Drawn Date: 12/28/2021

S:\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\SuppMaps_OrdMaps\2022 Ord\2-2-22\Z-48-21-1.mxd

ATTACHMENT B

City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

Staff Report Z-48-21-1
Lumara PUD
December 7, 2021

Deer Valley Village Planning Committee	December 9, 2021
Planning Commission Hearing Date	January 6, 2022
Request From:	C-O/M-O (5.29 acres) and County RU-43 (Pending S-1) (8.19 acres)
Request To:	PUD (13.48 acres)
Proposed Use	Planned Unit Development to allow multifamily residential
Location	Approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road
Owner	Happy Valley 19, LLC
Applicant	Toll Brothers
Representative	Nick Wood, Esq., Snell & Wilmer, LLP
Staff Recommendation	Approval, subject to stipulations

<table>
<tr><th colspan="4">General Plan Conformity</th></tr>
<tr><td colspan="2">General Plan Land Use Map Designation</td><td colspan="2">Current: Residential 3.5 to 5 dwelling units per acre, Commercial, Mixed Use (Commercial / Commerce Park)

Proposed (GPA-DV-2-21-1): Residential 15+ dwelling units per acre</td></tr>
<tr><td rowspan="2">Street Map Classification</td><td>19th Avenue</td><td>Major Arterial</td><td>Approximately 70-foot east half street</td></tr>
<tr><td>Desert Hollow Drive</td><td>Local Street</td><td>25-foot south half street</td></tr>
<tr><td colspan="4">CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Promote and encourage compatible development and redevelopment with a mix of housing types in neighborhoods close to employment centers, commercial areas, and where transit or transportation alternatives exist.

The proposed Lumara Planned Unit Development (PUD) supports increased intensity by</td></tr>
</table>

proposing multifamily residential that is compatible in scale and intensity with uses in the surrounding the Happy Valley Road corridor. The development is located in a mixed-use corridor where nearby properties are multifamily or commercial. The project site is also in close proximity to a designated employment center. The concentration of people near employment uses promotes the sustainability of nearby commercial uses. The requested PUD will facilitate ongoing investment and development of existing businesses in these areas.

CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS CORE VALUE; CERTAINTY & CHARACTER; DESIGN: Create new development or redevelopment that is sensitive to the scale and character of the surrounding neighborhoods and incorporates adequate development standards to prevent negative impact(s) on the residential properties.

The request facilitates additional residential options adjacent to major arterial streets and in close proximity to Norterra and the larger Happy Valley Road corridor. The proposed development is sensitive to surrounding residential and commercial development, thereby warranting the reasonable levels of height and density proposed between the Norterra development to the west and the more rural residential to the east.

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREES AND SHADE; DESIGN PRINCIPILE*: *Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.

The Lumara PUD proposes landscaping around all four sides of the building. A detached sidewalk along 19th Avenue framed with landscape areas will provide thermal comfort for pedestrians. The PUD also requires that a minimum of 75 percent of public pedestrian pathways be shaded.

Applicable Plans, Overlays, and Initiatives
Maricopa Association of Governments (MAG) North Black Canyon and Deer Valley Employment Centers – See background item No. 5 below.
Tree and Shade Master Plan – See background item No. 8
Complete Streets Guiding Principles – See background item No. 9
Comprehensive Bicycle Master Plan – See background item No. 10
Zero Waste PHX – See background item No. 11
Housing Phoenix Plan – See background item No. 12

Surrounding Land Uses/Zoning		
	Land Use	**Zoning**
On Site	Vacant and single-family residential	C-O/M-O and County RU-43 (Pending S-1)
South	Convenience store, retail establishments, and self-service storage facility	C-2 and C-2 SP
North (across Desert Hollow Drive)	Vacant	County RU-43
East	Vacant and Self-service storage	S-1 and C-2 SP
West (across 19th Avenue)	Multifamily residential, electrical substation, and vacant	PUD

Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone a 13.48-acre site located approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road. The request is to rezone from C-O/M-O (Commercial Office/Major Office Option) and Maricopa County RU-43 (Pending S-1) (Pending Ranch or Farm Residence) to PUD (Planned Unit Development) to allow multifamily residential uses.

2. The subject site consists of six parcels that are under the ownership of Happy Valley 19, LLC, pending the approval of this rezoning request. The site currently contains four single-family residential homes on the eastern portion, which are located within unincorporated Maricopa County. An active annexation request, Annexation No. 517, is pending on this portion of the site and is running concurrently with this rezoning request. The western portion of the subject site, adjacent to 19th Avenue, was annexed into the City of Phoenix on January 21, 2006. At that time this portion of the subject site and the surrounding area vastly consisted of vacant land and large lot residential uses in the unincorporated Maricopa County site to the east. The current C-O/M-O zoning designation was established through Rezoning Case No. Z-155-05. Maricopa County historic aerial imagery indicate the surrounding sites to the west and south began to develop in approximately 2017. There has been increased development in the immediate area both at Norterra and along the Interstate 17 corridor.

   The proposed PUD will require the developer to provide updated infrastructure as needed and determined through the Planning and Development Department's site development process.



Historic Aerials, Source: Maricopa County Assessor's

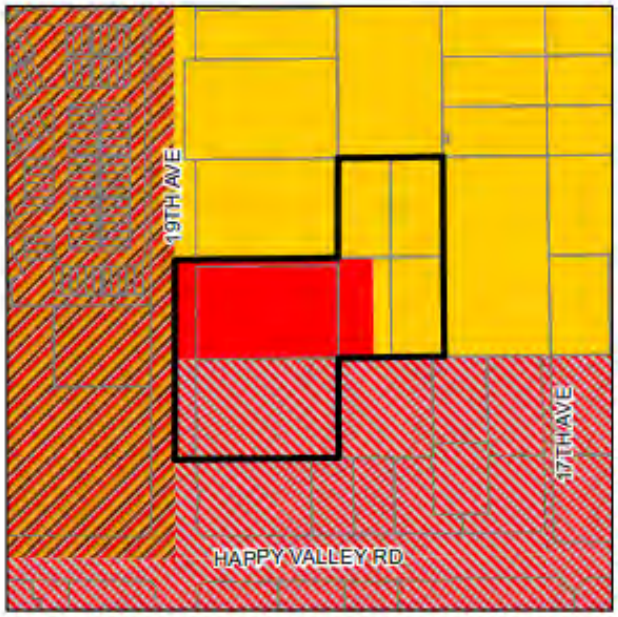
3. The General Plan Land Use Map designation for the subject site is Residential 3.5 to 5 dwelling units per acre, Commercial, and Mixed Use (Commercial / Commerce Park). The proposal is not consistent with the existing General Plan Land Use Map designation, thus a minor General Plan Amendment case (GPA-DV-2-21-1) requesting a designation of Residential 15+ dwelling units per acre was filed as a companion case to this request.

   The General Plan Land Use Map designation to the north of the subject parcel is Residential 3.5 to 5 dwelling units per acre. To the west, across 19th Avenue, the General Plan Land Use Map designation is Mixed Use (Commercial/Commerce Park/Business Park/Residential 5 to 10 / 10 to 15 / 15+ dwelling units per acre). The General Plan Land Use Map designation to the south is Mixed Use (Commercial / Commerce Park). To the east, the General Plan Land Use Map designations are Residential 3.5 to 5 dwelling units per acre and Mixed Use (Commercial / Commerce Park). The existing and proposed General Plan Land Use Maps are depicted in the graphic below.

EXISTING:

Residential 3.5 to 5 du/ac (4.41 +/- Acres)
Commercial (4.97 +/- Acres)
Mixed Use (Commercial/Commerce Park) (4.10 +/- Acres)

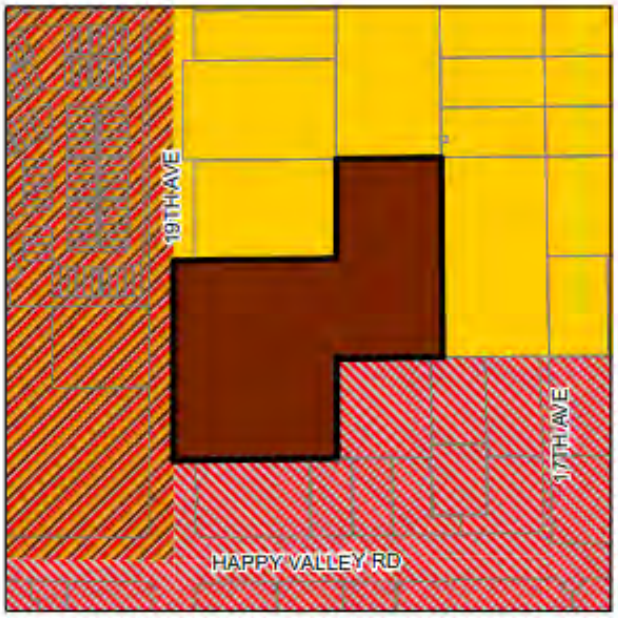
Proposed Change Area
Residential 3.5 to 5 du/ac
Commercial
Mixed Use (Commercial / Commerce Park)
Mixed Use (Commercial/Commerce Park/ Business Park/Residential 5 to 10/10 to 15/15+)



PROPOSED CHANGE:

Residential 15+ du/ac (13.48 +/- Acres)

Proposed Change Area
Residential 15+ du/ac



General Plan Land Use Map, Source: City of Phoenix Planning and Development Department

SURROUNDING ZONING AND USES

4. ***North***

The properties to the north of the subject site, which are located within Maricopa County, are vacant land zoned RU-43.

South

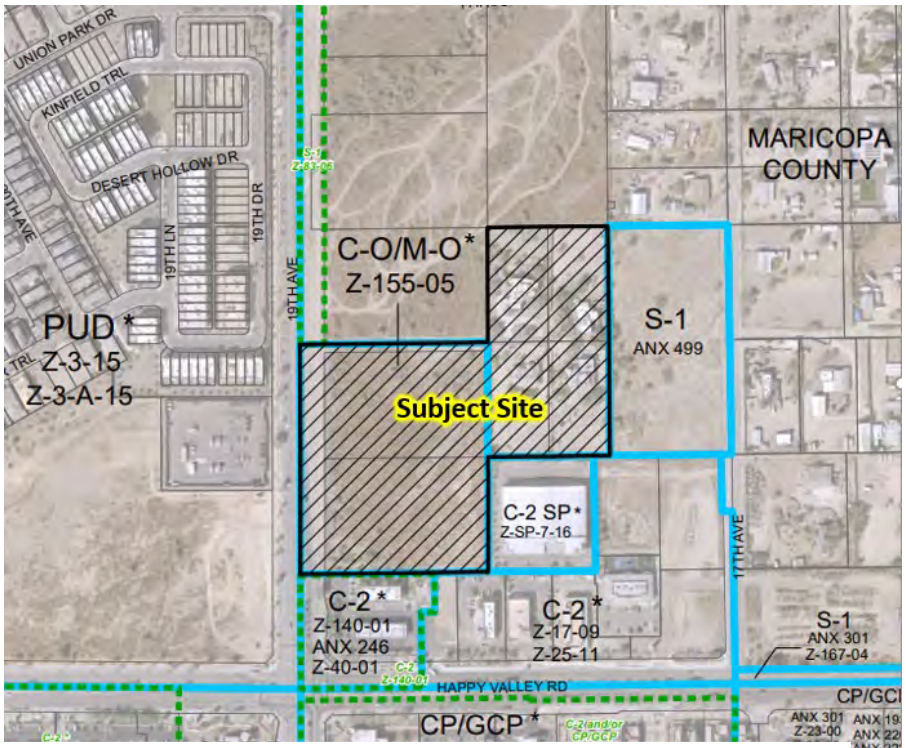
Directly south of the subject site is a one-story gas station and convenience store zoned C-2 through Rezoning Case No. Z-40-01, commercial retail establishments zoned C-2 through Rezoning Case No. Z-25-11 and a self-service storage facility zone C-2 SP through Rezoning Case No. Z-SP-7-16.

East

To the east of the north eastern portion of the site is vacant land zoned S-1 through Annexation No. 499.

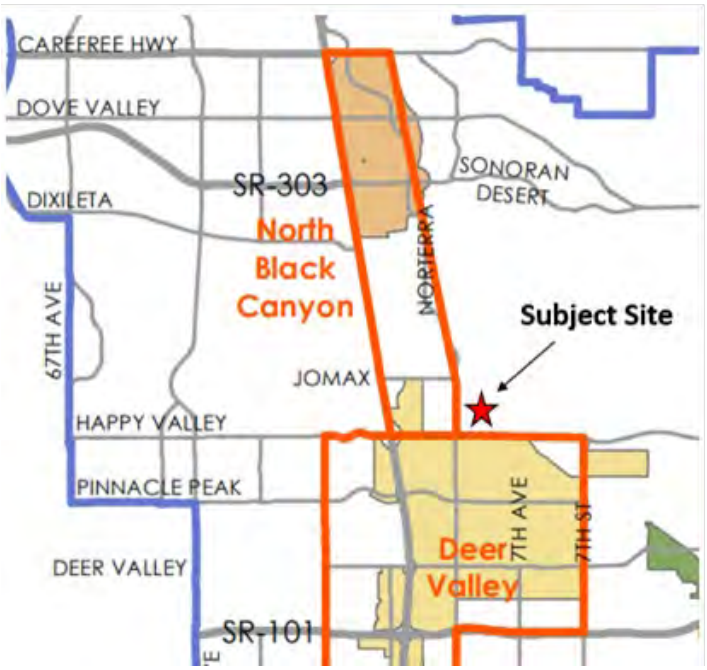
West

West of the subject, across 19th Avenue, is a mixed-use development called Norterra, which was zoned PUD through Rezoning Case No. Z-3-15.



Zoning Aerial Map, Source: City of Phoenix Planning and Development Department

5. The subject site is located just to the east of the boundaries of the Maricopa Association of Governments designated North Black Canyon employment center and just to the north and east of the city designated Deer Valley Major Employment Center.



Employment Center Map, Source: City of Phoenix Planning and Development Department

A mix of housing types are encouraged in and around employment centers and commercial corridors. The North Black Canyon employment center profile provided by the City of Phoenix Community and Economic Development Department identifies this corridor as having a mix of workers in the current labor pool that mirrors the metro area with a solid base of management as well as sales, clerical and administrative personnel. Workers in the North Black Canyon area are also well educated. Providing additional residential options in close proximity to the nearby office spaces in this rapidly growing area will add to the sustainability of the established employment center and the Norterra area overall.

The site is located near two major arterials streets. An existing bus stop and bus stop pad is located on the east side of 19th Avenue just to the south of the site. A City of Phoenix designated bike lane is also located along 19th Avenue.

The area surrounding the subject site has seen a significant amount of investment in the last 10 years. This investment has positioned the area between Jomax Road and north of the Deer Valley Airport as a corridor for mixed-use, industrial, commerce park and multifamily residential development.

PROPOSAL

6. The proposal was developed utilizing the PUD zoning district. The PUD is intended to create a built environment that is superior to that produced by conventional zoning districts and design guidelines. Using a collaborative and comprehensive approach, an applicant writes a document proposing standards and guidelines that are tailored to the context of a site on a case by case basis.

   Where the Lumara PUD Development Narrative is silent on a requirement, the applicable Zoning Ordinance provisions shall be applied.

7. Below is a summary of the proposed standards for the subject site as described in the attached PUD Development Narrative date stamped November 22, 2021. The

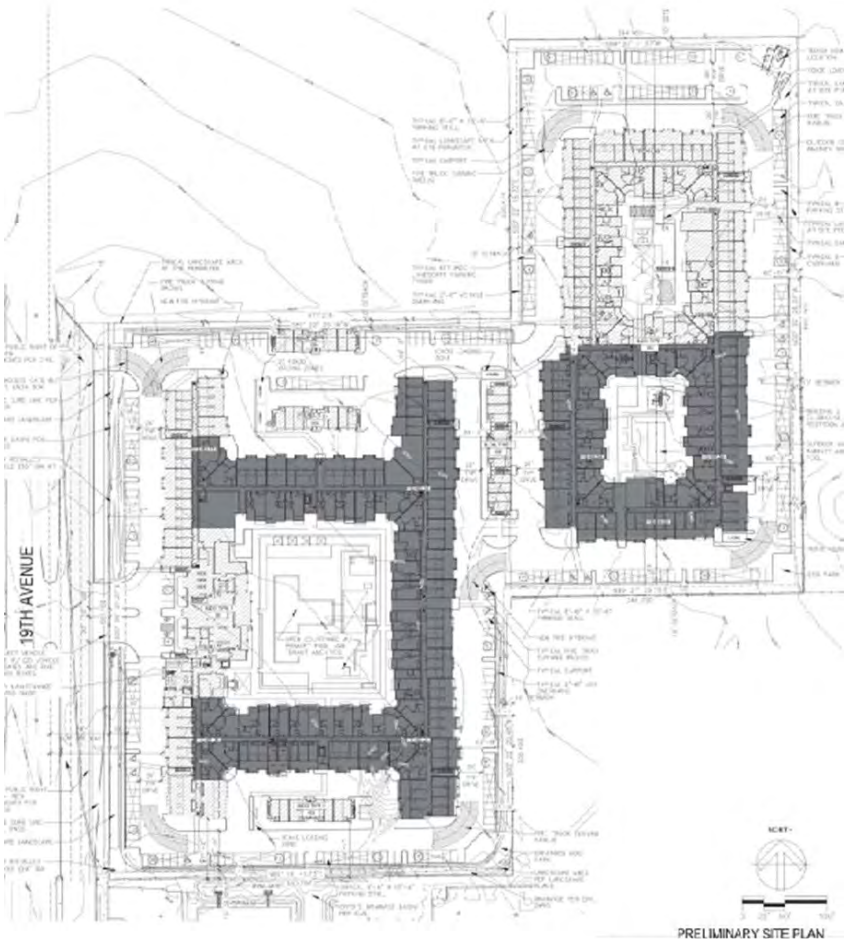
proposed standards were designed to allow for a multifamily development that continues enhancement along 19th Avenue for a more pedestrian-friendly environment.

List of Uses

The Development Narrative lists multifamily residential as the only permitted use, in addition to temporary uses. A maximum of 470 residential dwelling units are permitted within the boundaries of the PUD.

Conceptual Site Plan

The development proposes a primary and secondary access points along 19th Avenue. The project proposes two 49-foot tall multifamily buildings with surface parking. There are three amenity courtyard areas proposed, which are reserved as private common open space. One is located in the outdoor courtyard near the building main entrance and the other two are located in the eastern building. There are also several smaller structures containing living units around the site as well as covered surface parking canopies. 19th Avenue will contain an enhanced streetscape with a minimum five-foot detached sidewalk framed by landscape areas that will include trees, shrubs, and live ground cover.



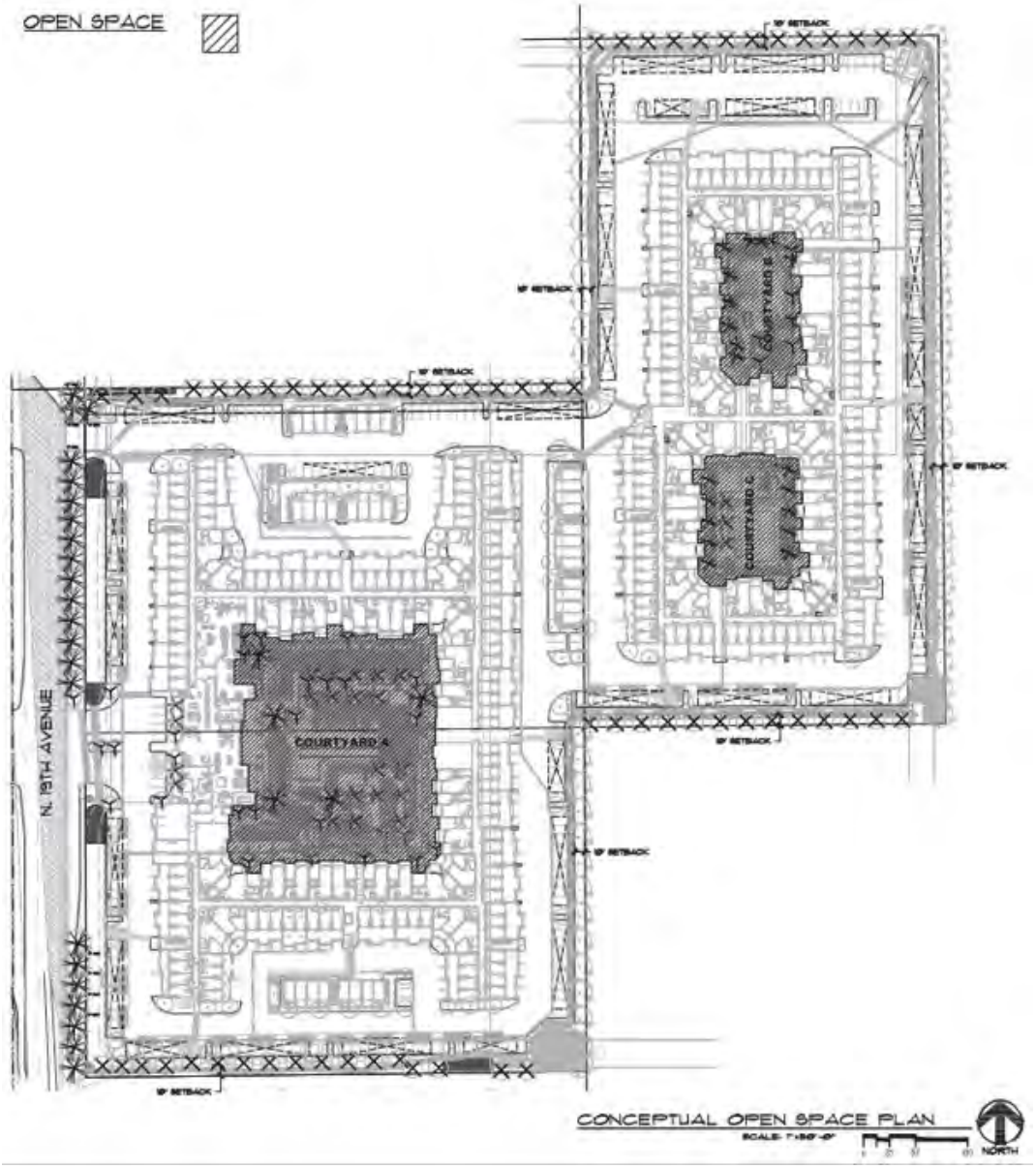
Conceptual Site Plan, Source: Collaborative Design Studio

Development Standards

The following is a table of proposed development standards for the project.

Maximum Residential Unit Count: Maximum Dwellings Maximum Density	 470 dwelling units 34.90 dwelling units per gross acre
Minimum Lot Width/Depth	No Minimum
Minimum Building Setbacks	**From Property Line**
North (Desert Hollow Drive) North (Internal Property Line) South (Internal Property Line) East (Internal Property Line) West (19th Avenue) West (Internal Property Line)	10 feet 105 feet 60 feet 59 feet 62 feet 59 feet
Minimum Landscape Setbacks	
North (Desert Hollow Drive) North (Internal Property Line) South (Internal Property Line) East (Internal Property Line) West (19th Avenue) West (Internal Property Line)	10 feet 10 feet 10 feet 10 feet 20 feet 10 feet
Maximum Building Height	49 feet
Maximum Lot Coverage	50 percent of total net site area
Minimum Open Space	15 percent of total gross site area

The PUD Development Narrative proposed a maximum height of 49 feet. The current entitlements on the western half of the site, C-O/M-O, allows a maximum height of 56 feet. The S-1 zoning district allows a maximum height of 30 feet. The proposed building height is based on the aforementioned site characteristics and an attempt to be consistent with the building height of approved projects in the area. The maximum approved height for Norterra, across 19th Avenue, is 70 feet. The proposed building height would act as a transition between the more intense Norterra development on the west side of 19th Avenue and the large lot rural residential in the unincorporated Maricopa County island to the east of the subject site.



Open Space Plan, Source: Collaborative Design Studio

The lot coverage proposed for the project is 50 percent. The additional lot coverage beyond a typical multifamily project is offset by a generous open space standard of a minimum of 15 percent and is consistent with other similar projects in the corridor. The proposed 19th Avenue (western) building setback is 62 feet with a 20-foot landscape setback.

Landscape Standards

The PUD proposes landscaping along all sides of the development. The Development Narrative requires a minimum 20-foot wide landscape setback be provided along the 19th Avenue street frontage. Furthermore, the landscape setbacks along the streets shall incorporate 2-inch, 3-inch, and 4-inch caliper trees, 5 five-gallon shrubs and 50 percent live ground cover.

As stipulated, the streetscape along 19th Avenue will include a minimum five-foot wide detached sidewalk with a minimum thirteen-foot wide landscape strip located between the sidewalk and back of curb. This is comparable to other recently approved projects in the area. The landscaping will provide for a pedestrian-friendly environment with 75 percent shade at maturity along the public sidewalks and 50 percent shade along private pedestrian pathways.



Conceptual Landscape Plan, Source: Collaborative Design Studio

Parking Standards

The proposal requires a minimum amount of parking per unit in addition to unreserved visitor parking. In addition, the PUD proposes a drop off and pick up location for ride share services.

Parking Standards	
Minimum Parking Standards	
a. Residents	1.5 spaces per dwelling unit
b. Unreserved Visitor	.26 spaces per dwelling unit
c. Bicycle Parking	0.25 spaces per dwelling unit (maximum requirement for bicycle parking is 50 spaces)
Bicycle Parking Locations	To be installed in conformance with Section 1307.H, except as follows: (i) Inverted-U style bicycle racks or artistic style racks consistent with the City of Phoenix preferred designs (see Comprehensive Bicycle Master Plan, Appendix K) shall be provided.

Parking Standards, Source: Snell & Wilmer

The PUD also proposes a minimum of 0.25 bicycle spaces per unit with a maximum of 50 spaces which will comply with Section 1307.H. of the City of Phoenix Zoning Ordinance.

Fences/Walls

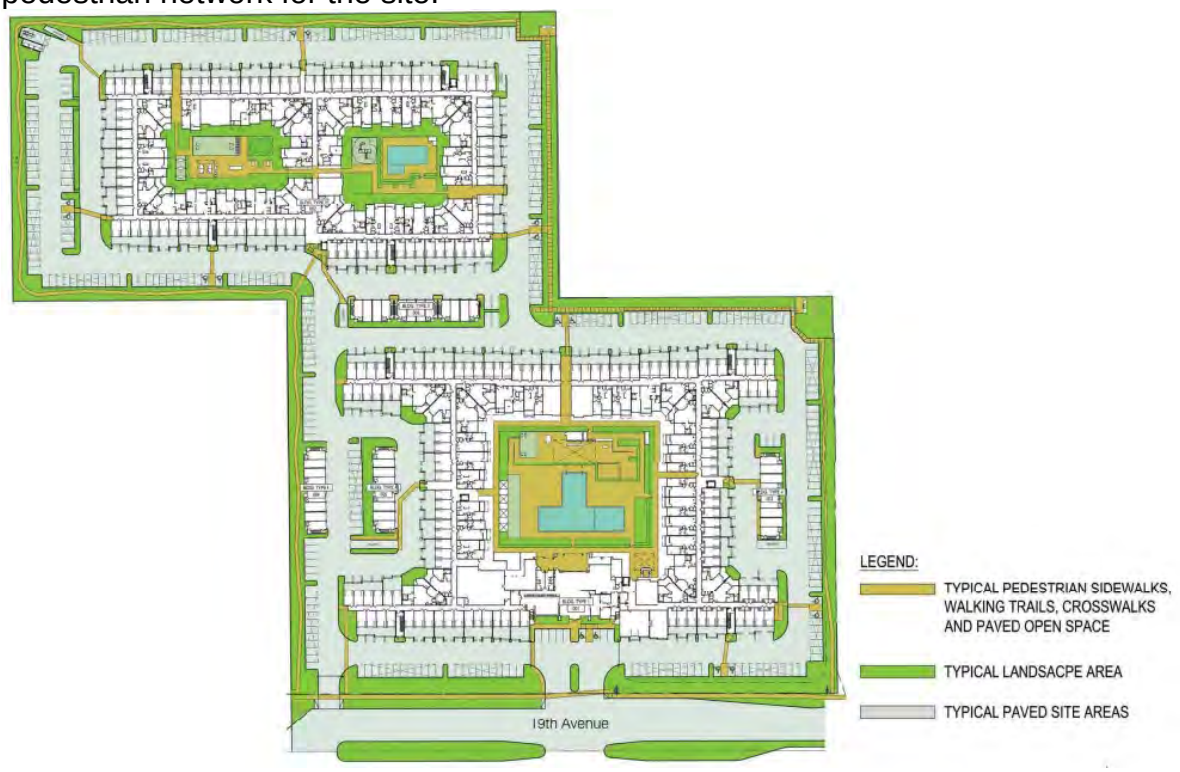
All site fences and walls will be consistent with Section 703.A of the Phoenix Zoning Ordinance.

Lighting Plan

All lighting will be consistent with the standards of Section 704 (Environmental Performance Standards) and Section 507 Tab. A of the Zoning Ordinance and Section 23-100 of the City Code.

Design Guidelines and Standards

The Development Narrative includes design standards that promote pedestrian circulation on and around the site. The graphic below illustrates the proposed pedestrian network for the site.



Pedestrian Circulation Plan, Source: Biltform Architecture

Design standards ensure that the building facade will contain 15 percent glazing, 10 percent cement board, 55 percent plaster and 4 percent metal railings. Elevations of the building will provide one private balcony per unit. All building elevations will have four-sided architecture, which results in visual interest. The final elevations and building plans submitted to the City will incorporate the provisions outlined in the development narrative and shall follow the Design Guidelines of Section 507.Tab A of the Phoenix Zoning Ordinance.

The landscape design shall have a uniformed streetscape design and a uniform perimeter design. Several residential amenities are also proposed, which are outlined below.



Conceptual Elevations, Source: The Hampton Group

Amenities

The PUD proposes amenities intended for use by residents and guests to include a clubhouse, fitness center, swimming pool and/or spa with at least three of the following:

- Lounge deck
- Shaded outdoor dining area
- Water features
- Barbeque grills
- Fire features
- Seating nodes
- Trellis areas

Signage

The proposed sign standards shall comply with Section 705 of the Phoenix Zoning Ordinance.

Sustainability

The Development Narrative proposes several options to incorporate sustainability principals including drought-tolerant landscaping, LED lighting, and recycling receptacles. The project also proposes retaining established trees where possible, as well as the utilization of smart controller drip irrigation.

PUD Compatibility to Zoning Ordinance

All property boundaries adjacent to public streets will include enhanced landscaping with five-foot wide detached sidewalks. Shade at 75 percent coverage at maturity will be provided to increase pedestrian comfort and activity. The PUD comparative

standards table shows that the landscape setback provided is equal to the R-5 requirements in the Zoning Ordinance and require that 50 percent of trees be a minimum of two-inch caliper, 25 percent be three-inch caliper and 25 percent be four-inch caliper.

Phasing
The project will be constructed in one phase.

Additional Requirements
The applicant will be required to submit an updated development narrative after City Council approval reflecting all required updates in the final draft. This is addressed in Stipulation No. 1 a.

AREA PLANS, OVERLAY DISTRICTS, AND INITIATIVES

8. **Tree and Shade Master Plan**
The Tree and Shade Master Plan has a goal of treating the urban forest as infrastructure to ensure that trees are an integral part of the city's planning and development process. In addition, a vision in the master plan is to raise awareness by leading by example. The proposal includes landscaped pedestrian walkways, open space areas and greater planting standards than otherwise required by the City of Phoenix Zoning Ordinance.

9. **Complete Streets Guiding Principles**
In 2014, the Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, and connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. There are proposed detached sidewalks along 19th Avenue and pathways throughout the site which provide a safer and more comfortable pedestrian experience.

10. **Comprehensive Bicycle Master Plan**
The Comprehensive Bicycle Master Plan also supports options for both short-and long-term bicycle parking as a means of promoting bicyclist traffic to a variety of destinations. The proposal requires bicycle parking spaces be provided on the site. Bicycle racks shall consist of an inverted-U or other decorative design and installed per the requirements of Section 1307. H. of the City of Phoenix Zoning Ordinance.

11. **Zero Waste PHX**
The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero-waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs. Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial, and mixed-use developments meeting certain criteria. The provision of recycling is addressed in the PUD narrative.

12. **Housing Phoenix Plan**
In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with a vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing. The proposed development supports the Plan's goal of preserving or creating 50,000 housing units by 2030 by contributing to a variety housing types that will address the supply shortage at a more rapid pace while using vacant land in a more sustainable fashion.

This proposal will help to meet the goals of the housing plan by increasing the number of available dwelling units for existing and new residents, while diversifying the types of housing in the area.

COMMUNITY INPUT SUMMARY

13. At the time the staff report was written, staff had received 48 letters of concern. Concerns include a perceived increase in traffic, building height, character of area changing, population density increases, loss of commercial spaces in area, overabundance of multifamily projects in area, infrastructure capacity concerns and size of proposed buildings. Staff has also received 171 letters of support. Support comments include a welcomed enhancement to the area, the proposed project will enhance and maintain a high quality of living in the area, the proposed project will bring in a built-in customer base to existing commercial uses in the Norterra area and Happy Valley Road corridor, the project will replace an underutilized and blighted site, reduction in traffic and the project will enhance aesthetics by providing lush landscaping and a pedestrian friendly experience.

INTERDEPARTMENTAL COMMENTS

14. The Street Transportation Department has proposed stipulations requiring that all streets within and adjacent to the development be constructed with all mandatory elements, the developer shall construct and landscape a 24-foot-wide median along 19th Avenue for the full limits of the project, a minimum 5-foot-wide sidewalk and 13-foot-wide landscape area located between the back of curb and Sidewalk along 19th Avenue. No preliminary approval of plans shall be granted until a Traffic Impact Study/Statement is reviewed and approved by the City. Further, access control to the site shall only be permitted at 19th Avenue and Desert Hollow Drive alignment. These are addressed in Stipulation Nos. 1.b., 2, 3, 4 and 5.

15. The City of Phoenix Aviation Department has noted that the site is within the Deer Valley Municipal Airport traffic pattern airspace, therefore, the developer shall provide notice to prospective purchasers of the existence and operation characteristics of the Deer Valley Airport and shall provide documentation that Form 7460-1 from the FAA. The requirements are addressed in Stipulation Nos. 6 and 7.

16. The Fire Department has noted that they do not anticipate any problems with this case

and that the site and/or buildings shall comply with the Phoenix Fire Code.

17. The Public Transit Department has proposed stipulations requiring that all pedestrian paths and drive aisles shall be constructed with decorative pavers, stamped, or colored concrete or other pavement treatments that contrast with adjacent surfaces and be shaded by 75 percent with vegetative shade at maturity. These are addressed in the development narrative.

18. The Water Services Department has noted the property has existing water and sewer mains that can potentially serve the proposed development. However, there is potential need to up size existing water and sewer infrastructure mains so that any remodels or new buildings will be able to meet domestic and fire code requirements.

OTHER

19. The site has not been identified as being archaeologically sensitive. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within 33-feet of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation No. 8.

20. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

Findings

1. The site is located at the intersection of two arterial streets and in close proximity to an employment center west of 19th Avenue. The proposed standards in the PUD provide a transition from more intense development on the west side of 19th Avenue to undeveloped property to the east of the subject site.

2. The proposed development will provide diverse housing options in the area within close proximity to designated employment centers.

3. The Development Narrative contains standards that exceed ordinance requirements including enhanced setbacks along three sides of the site as well as enhanced landscape standards.

Stipulations

1. An updated Development Narrative for the Lumara PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped November 22, 2021, as modified by the following stipulations:

   a. Front Cover: Remove “HEARING DRAFT” and revise submittal date information on

bottom of the cover page as follows:
1st Submittal: July 7, 2021
2nd Submittal: September 10, 2021
3rd Submittal: October 07, 2021
Hearing Draft: November 22, 2021
City Council adopted: TBD

b. Page 9; The streetscape adjacent to 19th Avenue requires the A Street Section. An A section requires detached sidewalks where a minimum 5-foot-wide sidewalk is required, and a minimum 13-foot-wide landscape area is required

c. Page 8; add Minimum, 15 percent open space to development standards table.

2. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

3. The developer shall construct and landscape a 24-foot-wide median in 19th Avenue, for the full limits of the project, as approved by the Planning and Development and Street Transportation Departments.

4. Full access-control to the site shall only be permitted at 19th Avenue and the Desert Hollow Drive alignment, as approved by the Planning and Development Department.

5. The applicant shall submit a Traffic Impact Study to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City.

6. The property owner shall record documents that disclose the existence, and operational characteristics of the Deer Valley Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

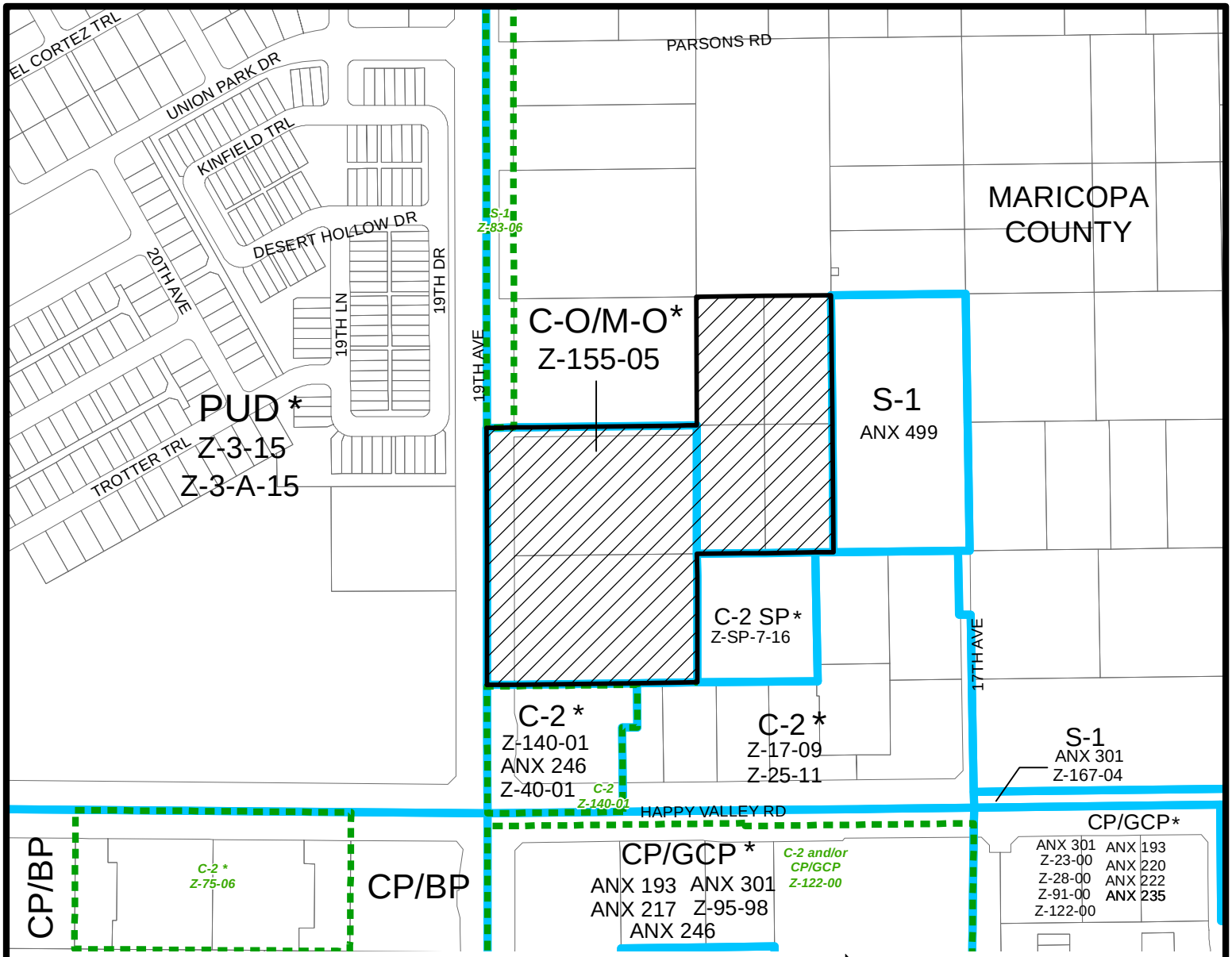
7. The developer shall provide documentation to the City of Phoenix prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a “No Hazard Determination” from the FAA. If temporary equipment used during construction exceeds the height of the permanent structure a separate Form 7460-1 shall be submitted to the FAA and a “No Hazard Determination” obtained prior to the construction start date.

8. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

Writer
David Simmons
12/07/2021

Team Leader
Samantha Keating

Exhibits
Sketch Map
Aerial Map
Community Correspondence (221 pages)
Lumara PUD Development Narrative date stamped November 22, 2021

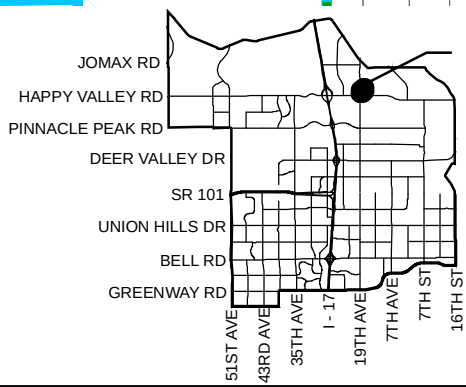


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DEER VALLEY VILLAGE

CITY COUNCIL DISTRICT: 1



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME: Toll Brothers

REQUESTED CHANGE:

FROM:
C-O/M-O (5.29 a.c.)
County RU-43 (Pending S-1) (8.19 a.c.)

TO: PUD (13.48 a.c.)

APPLICATION NO. Z-48-21

DATE: 8/9/2021
REVISION DATES:

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

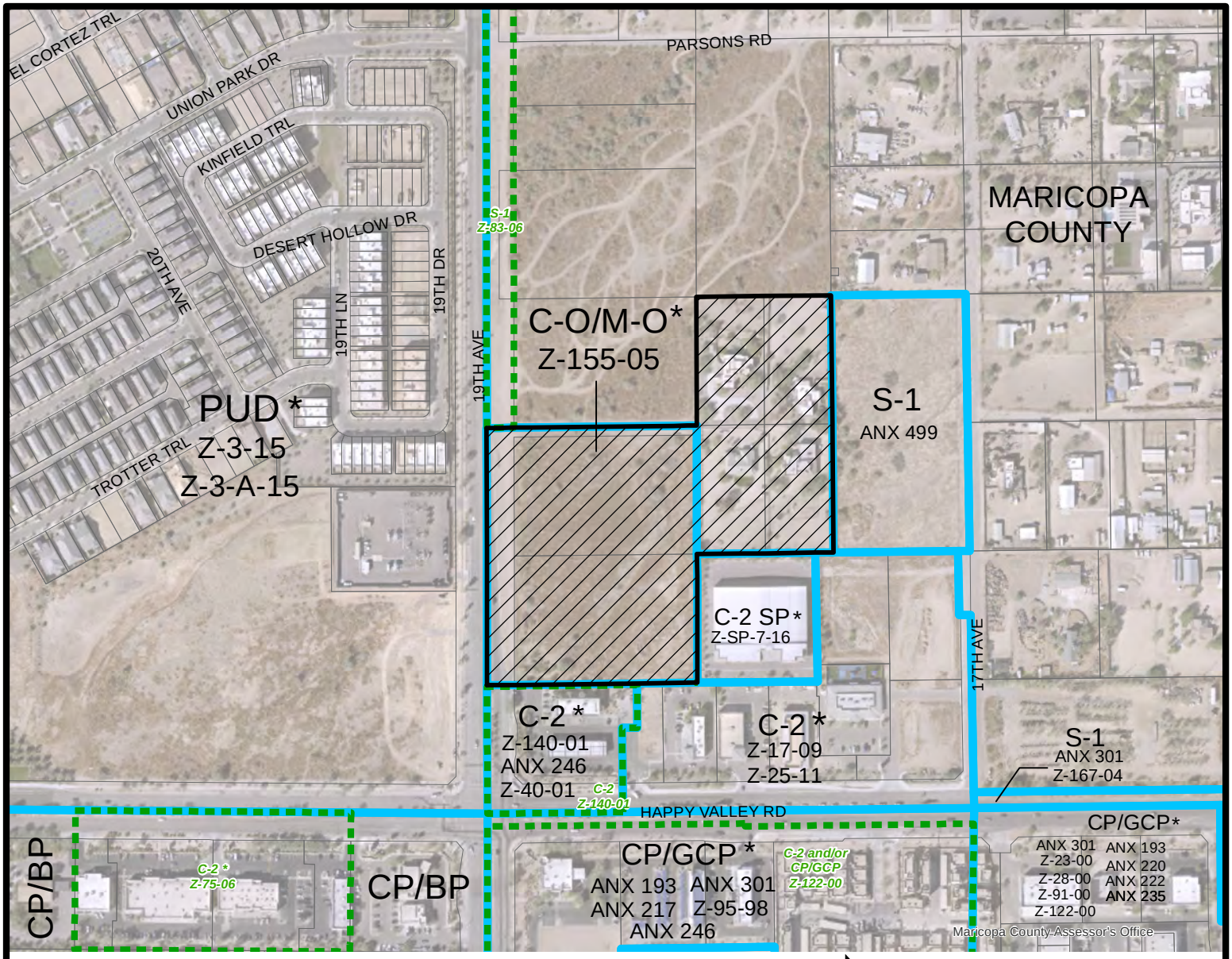
AERIAL PHOTO & QUARTER SEC. NO.: QS 47-25

ZONING MAP: O-7

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
C-O/M-O, County RU-43 (Pending S-1)	N/A, 8	N/A, N/A
PUD	470	N/A

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

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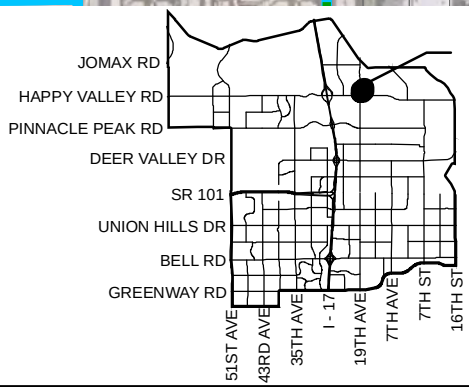


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Snell & Wilmer

Understanding what makes *you* unique.®

Toll Brothers

Lumara

162 Letters of Support

Zoning Group

Nick Wood, Esq
Attorney

Noel J. Griemsmann, AICP
Sr. Urban Planner

Ryan McCann, AICP
Urban Planner

Taylor N. Moran
Urban Planner

Paola Jaramillo
Assistant Planner

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am an owner/Manager of a business Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

The proposed project will include (1) redevelop vacant underutilized parcel with gated luxury residential with resort style amenities (2) 465 luxury units with detached residential townhomes units with private garages; (3) covered surface parking with 820 parking spaces, 713 for residents & 107 for guest; (4) enhanced shaded landscape and pedestrian experience along 19th Avenue & Happy Valley Road with detached sidewalks and; (5) arrival plaza with resort-style, grand entrance with enhanced landscape.

THE TOLL BROTHERS DEVELOPMENT WILL:

Be a welcome addition to the Norterra area.
Bring needed sales taxes and jobs for the City of Phoenix and the Norterra area.
Both enhance and maintain the high quality of living in the Norterra Urban Core area.
Bring built-in customers to Norterra & Happy Valley Town Center.
Replace a undeveloped, and under-utilized parcel with a stunning architectural achievement.

By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Elias Estrada

Printed Name Elias Estrada Carlos O'Briens Restaurant

Street Address 2501 W Happy Valley #14

City Phx Zip Code 85085

Phone Number 623 329-2593

Email elias.estrada1966@gmail.com

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Signature _____

Printed Name Jun Choi (Happy Valley Express cleaners)

Street Address 2005 W. Happy Valley Rd #190

City Phoenix Zip Code 85085

Phone Number (623) 570-2749

Email aznewlifechoi@gmail.com

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Signature _____ Fresh Fast Mex MEX Quick SERVER

Printed Name Amr Abdallah

Street Address 2413 W. Fetlock trail

City Phoenix Zip Code 85085

Phone Number [redacted]

Email [redacted]

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Signature _____

Printed Name Kareem Musa

Street Address 1730 W Happy Valley Rd

Mesquite Fresh Street Mix

City Phx Zip Code 85085

Phone Number 623-248-0187

Email _____

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Nicole Alejo

Printed Name Nicole Alejo

Street Address 25847 N 19th Ave

City Phx Zip Code 85085

Phone Number [redacted]

Email

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Signature _____

Printed Name John Alejo Jr Concrete Fencing / Block - Commercial & Residential

Street Address 25847 N 19Th Ave

City Phoenix Zip Code 85085

Phone Number [redacted]

Email [redacted]

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am an owner/Manager of a business Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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THE TOLL BROTHERS DEVELOPMENT WILL:

Be a welcome addition to the Norterra area.
Bring needed sales taxes and jobs for the City of Phoenix and the Norterra area.
Both enhance and maintain the high quality of living in the Norterra Urban Core area.
Bring built-in customers to Norterra & Happy Valley Town Center.
Replace a undeveloped, and under-utilized parcel with a stunning architectural achievement.

By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Shane Soards "misspelled" SOARDS "SWORD" Trucking sounds like

Street Address 1501 W Happy Valley

City Phoenix Zip Code 85087

Phone Number 602 616 6820

Email Shane.soards@gmail.com

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am a resident of Phoenix, Arizona; and that I support Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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Signature _____

Printed Name _____

Street Address _____

City _____ Zip Code _____

Phone Number _____

Email _____

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name John Alejo

Street Address 25847

City PHX Zip Code 85085

Phone Number [redacted]

Email [redacted]

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Scottsdale & Bell Rd. Development team; that I am a resident of Phoenix, Arizona; and that I **support** Scottsdale & Bell by The Hampton Group, proposed luxury multi-family residential, Minor General Plan Amendment & Rezoning Requests Case Nos. GPA-PV-1-21-2 & Z-12-21-2 for the approximate 2.8-acre site located at the southwest corner of Bell Rd and Scottsdale Rd.

The proposed project will include (1) Staggered height to a maximum of 14 stories (2) 255 dwelling units; (3) Provide 478 parking spaces (4) Reduce traffic within the area; (4) Redevelop and enhance the Southwest corner of Bell & Scottsdale Rd.; (5) Enhance landscape and pedestrian experience along Bell Rd. and Scottsdale Rd.; (6) Provide concealed parking.

THE SCOTTSDALE & BELL RD. PROJECT DEVELOPMENT WILL:

Be a welcome enhancement to the Kierland area
Both enhance and maintain the high quality of living in the Kierland area.
Bring built-in customers to the Kierland commercial corridors
Replace an under-utilized and outdated "gateway" corner with a stunning architectural achievement.
Reduce traffic within the area
Enhance landscaping and the pedestrian experience

By signing below, I give my support to Scottsdale & Bell Rd. by The Hampton Group, Luxury Multi-Family Residential, Minor General Plan Amendment & Rezoning Request.

Signature Bill

Printed Name Bill Mason

Street Address 6418 E Wire Hope Dr

City _____ Zip Code _____

Phone Number _____

Email _____

STATEMENT OF SUPPORT

By signing my name below. I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am an owner/Manager of a business Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue. north of Happy Valley Road.

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THE TOLL BROTHERS DEVELOPMENT WILL:

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Bring needed sales taxes and jobs for the City of Phoenix and the Norterra area.
Both enhance and maintain the high quality of living in the Norterra Urban Core area.
Bring built-in customers to Norterra & Happy Valley Town Center.
Replace a undeveloped, and under-utilized parcel with a stunning architectural achievement.

By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Frances Gutierrez

Printed Name FRANCES GUTIERREZ JACKSONS

Street Address 3501 W. Happy Valley Rd.

City Phx Zip Code 85085

Phone Number 623 344-7900

Email

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am a resident of Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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Bring built-in customers to Norterra & Happy Valley Town Center.
Replace a undeveloped, and under-utilized parcel with a stunning architectural achievement.

By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature [redacted]

Printed Name [redacted]

Street Address [redacted]

City [redacted] Zip Code [redacted]

Phone Number [redacted]

Email [redacted]

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am an owner/Manager of a business Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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Bring built-in customers to Norterra & Happy Valley Town Center.
Replace a undeveloped, and under-utilized parcel with a stunning architectural achievement.

By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Justine Jackson

Printed Name JUSTINE JACKSON Internet Host

Street Address 2103 W. Happy Valley Rd.

City Phoenix Zip Code 85085

Phone Number 623-587-4491

Email justine1377@yahoo.com

STATEMENT OF SUPPORT

By signing my name below. I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am an owner/Manager of a business Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue. north of Happy Valley Road.

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Bring built-in customers to Norterra & Happy Valley Town Center.
Replace a undeveloped, and under-utilized parcel with a stunning architectural achievement.

By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Matthew Crook [IHOP ASST GEN MGR]

Street Address 2103 W Happy Valley Rd.

City Phoenix Zip Code 85085

Phone Number 623-587-4491

Email Matthewcr623@gmail.com

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am a resident of Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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THE TOLL BROTHERS DEVELOPMENT WILL:

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Bring needed sales taxes and jobs for the City of Phoenix and the Norterra area.
Both enhance and complement the high quality of living in the Norterra Urban Core area.
Bring built-in customers to Norterra & Happy Valley Town Center.
Replace a underused, and under-utilized parcel with a stunning architectural achievement.

By signing below, I give my support to Toll Brother's Planned Unit Development zoning application.

Signature _____

Printed Name Bev Filmon

Street Address 3226 W. Spur Dr.

City Phoenix Zip Code 85085

Phone Number _____

Email _____

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team, that I am a resident of Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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THE TOLL BROTHERS DEVELOPMENT WILL:

Be a welcome addition to the Norterra area.
Bring needed housing choices and jobs for the City of Phoenix and the Norterra area.
Both enhance and protect the high quality of living in the Norterra Urban Core area.
Bring building activity to Norterra & Happy Valley Town Center.
Replace an underutilized and underutilized parcel with a stunning architectural achievement.

By signing below, I hereby support to Toll Brother's Planned Unit Development zoning application.

Signature: _____

Printed Name: Daniel Rivas-Donato

Street Address: 22[illegible] W Blue Jack dr

City: [illegible] Zip Code: 85085

Phone: _____

Email: _____

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am a resident of Phoenix, Arizona; and that I support Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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Replace a undeveloped, and under-utilized parcel with a stunning architectural achievement.

By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature J. Hendricks sing by

Printed Name J. Hendricks sing by

Street Address 2 [illegible] Wspwd Dr

City Phoenix Zip Code 85085

Phone Number _____

Email _____

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Gina L Naccarato

Printed Name Gina Naccarato

Street Address 27111 N. Gridiron Trail

City Phoenix, AZ Zip Code 85085

Phone Number _____

Email _____

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am a resident of Phoenix, Arizona; and that I support Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Emanuel Matala

Street Address 1925 W SAR DR

City PHX Zip Code 85085

Phone Number [redacted]

Email _____

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Brandi Flanek

Printed Name Brandi Flanek

Street Address 1811 W Jomax

City Phoenix Zip Code 85085

Phone Number [redacted]

Email _____

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Mark Flanders

Printed Name Mark Flanders

Street Address 1811 W Jomax Rd

City Phoenix Zip Code 85085

Phone Number [redacted]

Email _____

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Sharon L. Naccarato

Printed Name SHARON L Naccarato

Street Address 2711 N Sedgwick Ln

City Phoenix Zip Code 85085

Phone Number _____

Email _____

Native Resources
· Environmental Reclamation
· Native Plant Salvage/Revegetation
· GPS Plant Inventory/Tree Sales
· Commercial Landscaping

1540 W. Happy Valley Rd.
Phoenix, AZ 85085-1837
AZ ROC 205409 CR-21

office (623) 869-6757
fax (623) 869-6769
CA ROC 726126 C-27

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives o Brothers Development team; that I am an owner/Manager of a business Phoenix, that I **support** Toll Brother's Planned Unit Development for the approximately 1 located on N. 19th Avenue, north of Happy Valley Road.

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature K Homan

Printed Name Kurt Homan NATIVE AMERICAN RESOURCES

Street Address 1540 W. White Feather Ln.

City Phoenix Zip Code 85085

Phone Number [redacted]

Email

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Kelly Lyons

Street Address 25549 N. 21st Ave

City Phoenix Zip Code 85085

Phone Number [redacted]

Email [redacted]

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Alex Meza Soto

Street Address ~~Zo~~ 25813 N 19th Dr

City Phoenix Zip Code 85085

Phone Number [redacted]

Email [redacted]

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am a resident of Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Susie

Printed Name Susie Evens

Street Address 1678 W Cerveda Dr

City Phoenix Zip Code 85085

Phone Number

Email

STATEMENT OF SUPPORT

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Replace a undeveloped, and under-utilized parcel with a stunning architectural achievement.

By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Mason Tormey

Printed Name Mason Tormey

Street Address 25348 N 19th Ln

City Phoenix Zip Code 85085

Phone Number [redacted]

Email [redacted]

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am a resident of Phoenix, Arizona; and that I support Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name THUY HUYNH

Street Address 2009 W TROTAR TRAIL

City PHOENIX Zip Code 85085

Phone Number _____

Email _____

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am a resident of Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name _____

Street Address _____

City _____ Zip Code _____

Phone Number _____

Email _____

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Bonnie Stubbs

Street Address 25352 N 19th Ln

City PHX Zip Code 85085

Phone Number [redacted]

Email [redacted]

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Miren Kerger

Street Address 25332 N 19th Ln

City Phoenix Zip Code 85085

Phone Number _____

Email _____

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Debbie Mikel

Printed Name Debbie Mikel DM BEJMO!

Street Address ~~3725 W Shangri La~~ 2370 W Happy Valley

City Phx Zip Code 85085

Phone Number [redacted]

Email _____

Team leader - panera

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am a ~~resident~~ business of Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Hannah Smith

Printed Name Hannah Smith

Street Address 2713 N. Lucia Drive

City phoenix Zip Code 85085

Phone Number [redacted]

Email

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Cosmin Murgu

Street Address 2019 W Lotus Ln

City Phoenix AZ Zip Code 85085

Phone Number [redacted]

Email [redacted]

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Simon Morgan

Street Address 2049 W Tether Trl

City Phoenix Zip Code 85085

Phone Number [redacted]

Email [redacted]

G

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Katie Wilson

Printed Name Katie Wilson

Street Address 25312 N 20th Ave

City Phoenix Zip Code 85085

Phone Number [redacted]

Email [redacted]

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Chase Wilson

Street Address 25312 N. 20th Ave

City Phoenix Zip Code 85085

Phone Number [redacted]

Email [redacted]

G

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Beth Pipkin

Printed Name Beth Pipkin

Street Address 1926 W. Paso Trail

City Phoenix Zip Code 85085

Phone Number [redacted]

Email

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name RAJA SHEKAR TULASI

Street Address 25916 N 19TH LANE

City PHOENIX Zip Code 85085

Phone Number _____

Email [redacted]

STATEMENT OF SUPPORT

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Signature _____

Printed Name _____

Street Address _____

City _____ Zip Code _____

Phone Number _____

Email _____

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Tim Schrader

Street Address 2022 W Desert Hollow Dr

City Phoenix Zip Code 85085

Phone Number _____

Email _____

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name THUY HUYNH

Street Address 2009 W TROTAR TRAIL

City PHOENIX Zip Code 85085

Phone Number _____

Email _____

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Adrian Lawson

Printed Name Adrian Lawson

Street Address 25336 N 19th Ln

City Phoenix Zip Code 85085

Phone Number [redacted]

Email [redacted]

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Feather Ross

Street Address ~~842~~ 25347 N 19th Ln

City Phoenix Zip Code 85085

Phone Number _____

Email _____

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Scott Stroh

Street Address 25429 N. 19th Ln

City PHX Zip Code 85085

Phone Number [redacted]

Email [redacted]

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Jabary Gipson

Street Address 1909 W Trotter Trail

City Phx Zip Code 85085

Phone Number _____

Email _____

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Mason Tormey

Printed Name Mason Tormey

Street Address 25348 N 19th Ln

City Phoenix Zip Code 85085

Phone Number [redacted]

Email [redacted]

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Toni Jones

Street Address 25346 N. 19th Dr.

City Phoenix Zip Code 85085

Phone Number _____

Email _____

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Cooper Scott

Street Address 25339 N. 19th Ln

City Phoenix Zip Code 85085

Phone Number [redacted]

Email [redacted]

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Daniel Gabriel

Printed Name Daniel Gabriel

Street Address 25331 N 19th Lane

City Phoenix Zip Code 85085

Phone Number [redacted]

Email [redacted]

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Mayra Vargas

Street Address 25332 N 19th Ln

City Phoenix Zip Code 85085

Phone Number _____

Email _____

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Signature _____

Printed Name Aaron Kyme

Street Address 25311 N 19th Ln

City Phoenix Zip Code 85085

Phone Number [redacted]

Email [redacted]

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am an ~~owner/Manager~~ receptionist of a business Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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THE TOLL BROTHERS DEVELOPMENT WILL:

Be a welcome addition to the Norterra area.
Bring needed sales taxes and jobs for the City of Phoenix and the Norterra area.
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Bring built-in customers to Norterra & Happy Valley Town Center.
Replace a undeveloped, and under-utilized parcel with a stunning architectural achievement.

By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature C Morgani

Printed Name Cara Morgani At Store

Street Address 250 Happy Valley Road

City Norterra Zip Code 85085

Phone Number 623-201-8603

Email norterra@restore.com

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am an owner/Manager of a business Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Richard Garcia

Printed Name Richard Garcia ~~Cobblestone Cf~~ WASH

Street Address ~~33500~~ 1825 W. happy valley Rd

City Phoenix Zip Code 85085

Phone Number (602) 718-0314

Email Richardgarcia255@yahoo.com

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am an owner/Manager of a business Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Christopher Megles "Cobblestone"

Street Address ~~7[illegible]~~ 1825 w happy valley Road.

City Pheonix Zip Code 85086

Phone Number 541-331-8023

Email Cmegles70@gmail.com

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am an owner/Manager of a business Phoenix, Arizona; and that I ~~support~~ Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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By signing below, I give my ~~support~~ to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Ramon Reed Goodwill

Street Address 1565 W Happy Valley

City Phoenix Zip Code 85085

Phone Number 602-518-8146

Email _____

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Corthie Fulwiler

Printed Name Corthie Fulwiler the learning experience day care

Street Address 1720 W. Happy Valley Rd.

City Phoenix, AZ Zip Code 85085

Phone Number 623-215-2997

Email happyvalley.tlechildcare.com

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Yvette Stumpf

Printed Name Yvette Stumpf

Pigtails & Crew Cuts SALON

Street Address 1730 Happy Valley Rd.

City Phoenix Zip Code 85085

Phone Number 323-775-6688

Email Yvette-Stumpf@gmx.com.

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am an owner/Manager of a business Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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Signature _____

Printed Name Stacy Browning SMART STOP SELF STORAGE

Street Address 1740 W. Happy Valley Rd.

City Phoenix Zip Code 85085

Phone Number 318-716-8522

Email aceuwish2334@gmail.com

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Jamy Orlowski AUTO ZONE

Street Address 1750 W Happy Valley Rd

City Phoenix Zip Code 85021

Phone Number 602-308-8933

Email _____

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Brett C Meeks circle (K)

Street Address 1850 W Happy Valley Rd

City Phoenix Zip Code 85085

Phone Number 623-580-9906

Email _____

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name _____

Street Address _____ RAFED MATTI D.D.S., P.C. 2020 W. Whispering Wind Dr. Suite 125 Phoenix, AZ 85085

City _____ Zip Code _____

Phone Number 623-879-9722

Email _____

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am an ~~owner/Manager~~ of a business Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Kirsten Noelle

Street Address 2030 W. Whispering Dr.

City Phx Zip Code 85085

Phone Number 602 [illegible] - 0550

Email N/A

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with front desk representatives of the Toll Brothers Development team; that I am an owner/Manager of a business Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Sarah Helton "CALIBER COLLISION"

Printed Name Sarah Helton

Street Address 24615 n 23rd

City Phoenix Zip Code 85085

Phone Number 623-401-1084

Email n/a

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am an owner/Manager of a business Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Stephanie Ortiz

Street Address 24765 N. 23rd Ave.

City Phoenix Zip Code 85085

Phone Number (623) 587-5410

Email leora@tutortime.com.

"TUTOR TIME" Child Care Learning Ctr

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met ~~with~~ Front Desk representatives of the Toll Brothers Development team; that I am an ~~owner/Manager~~ of a business Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature KSC "Holiday Inn Express"

Printed Name Karina Santiago

Street Address 24655 N 23rd Ave

City phx Zip Code 85085

Phone Number 602-858-8068

Email —

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am an owner/Manager of a business Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Andrew Youssif

Street Address 1933 W Trotter Trail

City Phoenix Zip Code 85085

Phone Number [redacted]

Email [redacted]

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Bernie Stubbs

Street Address 25352 N. 19th Ln

City Phx Zip Code 85085

Phone Number [redacted]

Email [redacted]

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am an owner/~~Manager of a business~~ Shareholder Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Ibrahim Mahmood "JAMBA"

Printed Name Ibrahim Mahmood

Street Address ~~2535 W~~ AM 2370 W Happy Valley #1065

City Phoenix Zip Code 85085

Phone Number

Email

STATEMENT OF SUPPORT

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Signature _____

Printed Name Savannah Poole MASSAGE ENVY

Street Address 2330 W Happy Valley Rd Ste 1021

City Phoenix Zip Code 85085

Phone Number (623) 780-3689

Email clinic0078@massageenvy.com

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am a resident of Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Justin WAIZ RUGO Machine shop SUC RUSS

Street Address 21240 N 16th St.

City Phx Zip Code 85085

Phone Number _____

Email _____

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Katie Campbell

Printed Name Katie Campbell SUBWAY

Street Address 24502 N ~~HAPPY~~ VALLEY RD 2450 Happy Valley Rd

City PHX Zip Code 85083

Phone Number 602-739-6289

Email katieisbetter811@gmail.com

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am a resident of Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Michelle H Katz

Printed Name Michelle H Katz

Street Address 25037 N 17 Ave

City Phoenix Zip Code 85085

Phone Number [redacted]

Email [redacted]

owns Also: Desert Dragon Pottery on same site

* Count as 2 Letters of support

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Jun Choi

Street Address 25311 N. 20th Ave

City Phoenix Zip Code 85085

Phone Number [redacted]

Email [redacted]

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am a resident of Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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THE TOLL BROTHERS DEVELOPMENT WILL:

Be a welcome addition to the Norterra area.
Bring needed sales taxes and jobs for the City of Phoenix and the Norterra area.
Both enhance and maintain the high quality of living in the Norterra Urban Core area.
Bring built-in customers to Norterra & Happy Valley Town Center.
Replace a undeveloped, and under-utilized parcel with a stunning architectural achievement.

By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Kelly Haynes

Printed Name Kelly Haynes

Street Address 25416 N. 19th Drive

City Phoenix Zip Code 85085

Phone Number [redacted]

Email [redacted]

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am an owner/Manager of a business Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____ MARRIOT Courtyard

Printed Name Richard Blacke

Street Address 2035 W Whispering Wind Dr

City Phoenix Zip Code 85085

Phone Number 623-580-8833

Email 40RJB@ncghotels.com

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Sonia E. Seda

Printed Name SONIA E. SEDA BURGER KING ASST MGR

Street Address 2209 W HAPPY VALLEY RD

City PHOENIX Zip Code _____

Phone Number 623-587-9083

Email _____

STATEMENT OF SUPPORT

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Signature Jacob Clark "JACK in the Box"

Printed Name Jacob Clark Team Leader. #1560

Street Address 7 2113 happy Valley RD

City phoenix Zip Code 85085

Phone Number 623 869 5006 602 851 2290

Email lilotaco2@Gmail.Com

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name MATTHEW Lupo Wells Fargo Bank

Street Address 2123 W Happy Valley Rd

City Phoenix Zip Code 85085

Phone Number 623-587-3700

Email Matt.J.Lupo@wellsfargo.com

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Rob Mitchell State 48 Rock House

Street Address ~~2175 E Kuehn St~~ 2530 W Happy Valley Rd

City Phx Zip Code ~~AZ~~ 85085

Phone Number _____

Email _____

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____ Cafe Zupas

Printed Name David Burns

Street Address 2510 W. Happy Valley Rd.

City Phoenix Zip Code 85382

Phone Number 480-447-9375

Email itsdave72@gmail.com

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name _____

Street Address 2332 W Andrea Dr

City PHX Zip Code 85085

Phone Number _____

Email _____

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Betty McCormack

Printed Name Betty McCormack

Street Address 2405 W Spur Dr

City Phoenix Zip Code 85085

Phone Number _____

Email _____

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name IAN ROESCH

Street Address 2414 W. CAVEDALE DR

City Phoenix Zip Code 85085

Phone Number _____

Email _____

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Faisal Qureshi

Street Address 2344 W. Blayloch Dr

City Phoenix Zip Code 85085

Phone Number _____

Email _____

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

neutral - not sure

Signature Emily Burke

Printed Name Emily Burke

Street Address 26215 N 17th Dr

City Phoenix Zip Code 85085

Phone Number

Email

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name B. Vitkind Koenig

Street Address 25811 N 15th Ave

City Phoenix Zip Code 85085

Phone Number [redacted]

Email [redacted]

Would prefer less density

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Jaqueline Chrobocinski

Printed Name Jacqueline Chrobocinski

Street Address 26120 N 9th Ave

City Phoenix Zip Code 85085

Phone Number [redacted]

Email [redacted]

STATEMENT OF SUPPORT

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Signature _____

Printed Name James Chrobocinski

Street Address 26120 N. 94 Ave

City Phoenix Zip Code 85085

Phone Number [redacted]

Email [redacted]

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature B Lester

Printed Name Billy Lester Sleep Number

Street Address 2310 W happy Valley rd. #1019

City Phx Zip Code 85085

Phone Number 602-491-9738

Email

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Ariana Pettinichio

Printed Name Ariana Pettinichio Men's Wearhouse

Street Address 2310 W Happy Valley Rd Ste 1013

City Phoenix Zip Code 85085

Phone Number 623.580.5219.

Email

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Janet Granger

Printed Name Janet Granger Subway

Street Address 2330 W. Happy Valley Rd #1025

City Phoenix Zip Code 85085

Phone Number 623-581-7061

Email Janet@subwayfoods.com

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am an owner/Manager of a business Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Savannah Natera Dental Care

Street Address 2370 W Happy Valley Rd 1073

City Phoenix Zip Code 85085

Phone Number 623 [illegible] 0-3333

Email _____

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Jason Grubb

Street Address 2138 W. Red Bird Rd

City Phx Zip Code 85085

Phone Number 602-318-1222

Email JGRUBB@cox.net

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Seth Duval

Street Address 214 W Bronco Trl

City Phx Zip Code 8508-

Phone Number _____

Email _____

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Signature _____

Printed Name Bryce Haase - Wasikoski "ATI Physical Therapy"

Street Address 2005 W. Happy Valley Rd Unit 107

City Phoenix Zip Code 85085

Phone Number 602 - 313 - 4067

Email bryce.haase.wasikoski@atipt.com

STATEMENT OF SUPPORT

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Both enhance and maintain the high quality of living in the Norterra Urban Core area.
Bring built-in customers to Norterra & Happy Valley Town Center.
Replace a undeveloped, and under-utilized parcel with a stunning architectural achievement.

By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Trish Stannard

Printed Name Trish Stannard Phoenix Dance Studio

Street Address 24850 N. 19th Ave #103

City Phoenix AZ Zip Code 85085

Phone Number 602 892-4347

Email Val@phoenixdancestud.com

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am an owner/Manager of a business Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Parish

Printed Name PARISH PATEL Tikka Shack

Street Address 2510 W. Happy Valley Rd Suite 1245

City Phoenix Zip Code 85085

Phone Number 623-248-5300

Email —

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am a resident of Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Sindhu Dixit

Street Address 26902 N 21st Dr

City Phoenix Zip Code 85085

Phone Number _____

Email _____

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Valerie Spata

Street Address 25418 N 16th Ave

City Phx Zip Code 85085

Phone Number [redacted]

Email [redacted]

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am a resident of Phoenix, Arizona; and that I support Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Khema

Printed Name Hema Kumar

Street Address 2265 W Bonanza Lane

City Phoenix Zip Code 85085

Phone Number _____

Email _____

STATEMENT OF SUPPORT

I am neutral

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development Team; that I am a resident of Phoenix, Arizona; and that I ~~support~~ Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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By signing below, I express my support to Toll Brother's Planned Unit Development zoning application.

Signature _____

Printed Name ANA BAYLLA

Street Address 1 Playlock Dr

City _____ Zip Code 85085

Phone No. _____

Email _____

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am a resident of Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Ryan Painter

Printed Name RYAN PAINTER

Street Address 2020 W. BONANZA LN

City PHOENIX Zip Code 85085

Phone Number _____

Email _____

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Jorden Craven

Printed Name Jorden Craven

Street Address 1202 W parkway rd

City Phoenix Zip Code 85085

Phone Number [redacted]

Email [redacted]

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am a resident of Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Selena Beck

Printed Name Selena Beck "HOPE CHURCH"

Street Address [redacted] 26525 N. 19th

City Phoenix Zip Code 85310

Phone Number [redacted]

Email [redacted]

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am a resident of Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Dennis Denomme

Street Address 1628 W. Beaulock Dr.

City Phoenix Zip Code 85085

Phone Number [redacted]

Email _____

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am a resident of Phoenix, Arizona; and that I support Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature B Bennett

Printed Name Bianca Bennett

Street Address 1712 W. Briles Rd. Ph

City Phoenix Zip Code 85085

Phone Number [redacted]

Email

STATEMENT OF SUPPORT

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By signing below I convey support to Toll Brother's Planned Unit Development zoning application.

I like Toll Bros
I like single story Townhomes/homes - No STHRS

Signature _____

Printed Name _____

Street Address _____ Blaylock Dr

City _____ Zip Code 85085

Phone Number [redacted]

Email _____

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Laura Kain

Printed Name Laura Kain

Street Address 25820 N. 20TH Dr.

City Phoenix Zip Code 85085

Phone Number

Email

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Matthew Crook IHOP ASST GEN MGR

Street Address 2103 W. Happy Valley Rd.

City Phoenix Zip Code 85085

Phone Number 623-587-4491

Email [redacted]

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am an owner/Manager of a business Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Justine Jackson

Printed Name JUSTINE JACKSON Intercontinental Homes of Arizona

Street Address 2603 W. Happy Valley Rd.

City Phoenix Zip Code 85085

Phone Number 623-587-4491

Email justine3777@yahoo.com

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Mariana Attalla

Printed Name Mariana Attalla

Street Address 2[redacted] N. 20th Dr.

City Phoenix Zip Code AZ 85085

Phone Number [redacted]

Email [redacted]

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Frances Gutierrez

Printed Name FRANCES GUTIERREZ JACKSON

Street Address 2501 W. Happy Valley Rd.

City Phx Zip Code 85085

Phone Number ~~623~~ 623 344-7900

Email

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Felicita Hitz

Printed Name Felicita Hitz Streets of New York

Street Address 1985 W. Happy Valley Road

City Phoenix, AZ Zip Code 85085

Phone Number 623 · 582 · 8500

Email

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Ebbni Payne, ~~International Head of Marketing~~ general manager

Street Address 2103 W. Happy Valley Rd.

City Phoenix Zip Code 85085

Phone Number (623) 581-4491

Email epayne@romulusinc.com

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am an owner/Manager of a business Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Savannah Salomon

Street Address 1675 W. Happy Valley Rd.

City Phoenix Zip Code 85085

Phone Number [redacted]

Email [redacted]

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am a resident of Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Sumeet Shah

Street Address 25912 N 19th Ln

City Phx Zip Code 85085

Phone Number [redacted]

Email _____

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Susie

Printed Name Susie Evens

Street Address 1678 W Cave Lake Dr

City Phoenix Zip Code 85085

Phone Number

Email

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Jamie Mutch

Street Address 2020 W Trotter Trl

City Phoenix Zip Code 85085

Phone Number _____

Email _____

STATEMENT OF SUPPORT

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THE TOLL BROTHERS DEVELOPMENT WILL:

Be a welcome addition to the Norterra area.
Bring needed sales taxes and jobs for the City of Phoenix and the Norterra area.
Both enhance and maintain the high quality of living in the Norterra Urban Core area.
Bring built-in customers to Norterra & Happy Valley Town Center.
Replace a undeveloped, and under-utilized parcel with a stunning architectural achievement.

By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Kristina Knight

Street Address 2025 W Trotter Trail

City PHX Zip Code 85085

Phone Number [redacted]

Email _____

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am an owner/Manager of a business Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature K Homan

Printed Name Kurt Homan NATIVE AMERICAN RESOURCES

Street Address 1540 W. White Feather Ln.

City Phoenix Zip Code 85085

Phone Number [redacted]

Email

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Alex Meza Soto

Street Address ~~7a~~ 25813 N 19th Dr

City Phoenix Zip Code 85085

Phone Number [redacted]

Email [redacted]

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Kelly Garner

Street Address 25549 N. 21st Ave

City Phoenix Zip Code 85085

Phone Number [redacted]

Email [redacted]

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Apartment Living; that I am a resident of Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

The proposed project will include (1) redevelop vacant, underutilized parcels with gated luxury residential with resort style amenities (2) 465 luxury units with detached residential townhomes units with private garages; (3) covered surface parking with 820 parking spaces, 713 for residents & 107 for guest; (4) enhanced shaded landscape and pedestrian experience along 19th Avenue & Happy Valley Road with detached sidewalks and; (5) arrival plaza with resort-style, grand entrance with enhanced landscape.

THE TOLL BROTHERS APARTMENT LIVING DEVELOPMENT WILL:

- Be a welcome addition to the Norterra area
- Bring needed sales tax revenues and jobs for the City of Phoenix and the Norterra area
- Both enhance and maintain the high quality of living in the Norterra Urban Core area
- Bring built-in customers to Norterra & Happy Valley Town Center
- Replace an undeveloped and under-utilized parcel with a stunning desert modern architecture.

By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name EMILIA POP

Street Address 6511 W. STRAIGHT ARROW LN

City PHOENIX Zip Code 85083

Phone Number [redacted]

Email [redacted]

STATEMENT OF SUPPORT

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Signature _____

Printed Name EMIL POP

Street Address 6511 W. STRAIGHT ARROW LN

City PHOENIX Zip Code 85083

Phone Number [redacted]

Email [redacted]

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Archana

Printed Name Archana Mandloi

Street Address 25533 N 21st Ave

City Phoenix Zip Code 85085

Phone Number NA

Email NA

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name JAMONT JONES

Street Address 2008 W ANDALUSIAN TRL

City PHOENIX Zip Code 85085

Phone Number _____

Email _____

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Sheila Dixon

Street Address 25823 N 21st Ave

City Phoenix Zip Code 85085

Phone Number [redacted]

Email [redacted]

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Aline Alves

Printed Name Aline Alves

Street Address 25710 N 20th ln

City Phoenix Zip Code 85085

Phone Number [redacted]

Email [redacted]

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Terra Rae

Printed Name Terra Fodstad

Street Address 25919 N 20th LN

City Phoenix Zip Code 85085

Phone Number [redacted]

Email [redacted]

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Igor Hercegovac

Street Address 25713 N 20th Drive

City Phx Zip Code 85085

Phone Number [redacted]

Email [redacted]

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Durgan

Street Address 1937 W Yearling Rd

City Phoenix Zip Code 85085

Phone Number _____

Email _____

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Signature _____

Printed Name _____

Street Address 25720 N. 20th Dr.

City Phx Zip Code 85085

Phone Number _____

Email _____

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Anirban Ray

Street Address 25724 N. 19TH GLN.

City _____ Zip Code _____

Phone Number _____

Email [redacted]

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name PAT McCall

Street Address 25710 N 20th Ave

City _____ Zip Code 85085

Phone Number _____

Email _____

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Julie HORNSBY

Street Address 3809 N 19th Dr.

City Phoenix Zip Code 85085

Phone Number [redacted]

Email _____

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name SREEJESH NAMBIAR

Street Address 1913 W YEARLING RD

City _____ Zip Code 85085

Phone Number _____

Email _____

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Claric Ramirez

Street Address 2370 W happy valley rd

City Phoenix Zip Code 8503

Phone Numbe [redacted]

Email [redacted]

3

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature NLLK

Printed Name NASTASSIA LICK

Street Address 2460 W. HAPPY VALLEY RD

City PHX Zip Code 85085

Phone Number [redacted]

Email [redacted]

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Mandy Vies

Printed Name Mandy Vines

Street Address 2480 W. Happy Valley Rd. #1209

City Phoenix Zip Code 85083

Phone Number [redacted]

Email [redacted]

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Elizabeth Gregan

Printed Name Elizabeth Gregan Buffalo Windings

Street Address 2510 W. Happy Valley Rd

City Phoenix Zip Code 85085

Phone Number [redacted]

Email [redacted]

STATEMENT OF SUPPORT

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Signature _____

Printed Name Roy Chrisnell Sauce Pizza & Wine

Street Address 2470 W Happy Valley

City Phoenix Zip Code 85085

Phone Number 623 414 9866

Email rchrisnell01@saucepizzaandwine.com

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am an owner/Manager of a business Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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THE TOLL BROTHERS DEVELOPMENT WILL:

Be a welcome addition to the Norterra area.
Bring needed sales taxes and jobs for the City of Phoenix and the Norterra area.
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Bring built-in customers to Norterra & Happy Valley Town Center.
Replace a undeveloped, and under-utilized parcel with a stunning architectural achievement.

By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Kenzie Drumheller

Street Address 1850 W happy Valley Circle K

City Phoenix Zip Code 85085

Phone Number 602-290-9906

Email _____

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Angel Leon BRAKES PLUS + MGR

Street Address 1840 W Happy Valley Rd

City Phoenix Zip Code 85085

Phone Number 480 565 1060

Email _____

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Rachelle L Crumb

Printed Name Rachelle L Crumb

Street Address 1703 W Quartz Rock Rd.

City Phoenix Zip Code 85085

Phone Number [redacted]

Email [redacted]

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Shoshannah Rock

Printed Name Shoshannah Rock

Street Address 25115 N. 13th Ave

City Phx Zip Code 85085

Phone Number

Email

STATEMENT OF SUPPORT

Support, but F
there's things about it still

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By signing below, I give my ~~support~~ to Toll Brother's Planned Unit Development zoning application

Signature Billie Lewis

Printed Name Billie Lewis

Street Address 25441 N 17th

City Phx Zip Code 85085

Phone Number

Email

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Terrence Ellis

Printed Name Terrence Ellis

Street Address 2501 W Happy Valley Rd Staples

City Phx Zip Code 85085

Phone Number _____

Email _____

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Sneha Yalla

Street Address 2501 W. Happy Valley Rd "RAY'S PIZZA"

City Phoenix Zip Code 85085

Phone Number 623 516-4640

Email _____

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Saele Young ANGRY CRAB Shack

Street Address 2501 w Happy Valley Rd. Angry Crabshack

City ~~Phoenix~~ Phx Zip Code 85085

Phone Number 623-226-8880

Email S.young@angrycrabshack.com

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am an owner/Manager of a business Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Tevin Harvey

Printed Name Tevin Harvey Jacksons

Street Address 2501 w happy valley RD

City pheonix Zip Code 85085

Phone Number (623) 344-7900

Email

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Augustine Kim — Cold Stone Creamery

Street Address 2501 W. Happy Valley Rd.

City Phoenix Zip Code 85085

Phone Number (623) 869-9469

Email coldstone20028@gmail.com

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____ Tina Vo

Printed Name FASHION NAILS AND SP (Happy Valley Town Ctr)

Street Address 2501 W HAPPY VALLEY Rd # 52-1330

City Phoenix Zip Code 85085

Phone Number 623-582-1321

Email _____

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Robert DeBacco

Street Address 2501 W. Happy Valley rd. "AT&T" Phone store

City Phoenix Zip Code 85085

Phone Number 623-780-0440

Email N/A

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name _____

Street Address 25422 N 16th Ave

City Phoenix Zip Code 85085

Phone Number _____

Email _____

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Veronica Negrete

Street Address 25722 N 16th Ave

City Phoenix Zip Code 85085

Phone Number [redacted]

Email _____

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Lie Tapita

Street Address 25113 N 11th Ave

City Phx Zip Code 85085

Phone Number _____

Email _____

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Signature _____

Printed Name Vasi Tupita

Street Address 25113 N 11th

City Phx Zip Code 85085

Phone Number _____

Email _____

Vasi from Toll Brothers Ben & Dawn next week

STATEMENT OF SUPPORT

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature _____

Printed Name Wendy Barney

Street Address 25319 N. 19th LN

City PHX Zip Code 85085

Phone Number [redacted]

Email [redacted]

STATEMENT OF SUPPORT

By signing my name below, I acknowledge that I have met with representatives of the Toll Brothers Development team; that I am an ~~owner/Manager~~ SALES ASSOCIATE of a business Phoenix, Arizona; and that I **support** Toll Brother's Planned Unit Development for the approximately 13.56-acre site located on N. 19th Avenue, north of Happy Valley Road.

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By signing below, I give my support to Toll Brother's Planned Unit Development zoning application

Signature Brianna Winter

Printed Name Brianna Winter EUROPEAN WAX CENTER

Street Address 28350 West Happy Valley Road

City Phoenix Zip Code 85085

Phone Number X

Email X

STATEMENT OF SUPPORT

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Signature [signature]

Printed Name Robert M Stewart-Devlin

Street Address 25505-N. 17th Ave

City Phx Zip Code 85085

Phone Number [redacted]

Email [redacted]

STATEMENT OF SUPPORT

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Signature _____

Printed Name Mike Devlin

Street Address 25505 N. 17th Ave

City Phx Zip Code 85085

Phone Number [redacted]

Email _____

Less Traffic
maybe Pavement

Vestar

David Larcher
President & COO

December 1, 2021

Via Email: David.simmons@phoenix.gov

Mr. David Simmons
City of Phoenix
200 W. Washington Street
Phoenix, AZ 85003

Dear Mr. Simmons:

Vestar is a nationally recognized leader in the acquisition, management and development of retail real estate. Our current portfolio of retail properties totals 30 million square feet throughout the western United States, 17 of which are located in Arizona and specifically, Happy Valley Towne Center which is near the proposed Toll Brothers development we wish to speak of in these communications.

As a member of this community and as an organization who has made a large investment in the success of Phoenix, we wholeheartedly support the proposed Toll Brothers development to be located at the Northeast corner of Happy Valley Rd. and 19th Ave.

Arizona has added nearly 1 million people over the past decade and with this comes the need for quality jobs, robust commercial and luxury residential. The Toll Brother proposed project will bring one of these important pieces. It will take an underutilized parcel and create a luxury gated community that will be a welcome addition for this area. It will bring built in customers for many of the local and nearby businesses, support needed sales taxes and jobs for this area and will enhance the high quality of living known for the Norterra Urban Core.

Please support the proposed Toll Brothers project GPA-DV-2-21-1 (Companion Case Z-48-21-1).

Thank you for your consideration.

Sincerely,

DJL:sko

2415 East Camelback Road
Suite 100
Phoenix, Arizona 85016
phone: 602.866.0900

Vestar

David Larcher
President & COO

December 1, 2021

Via Email: Alan.stephenson@phoenix.gov

Mr. Alan Stephenson
City of Phoenix
200 W. Washington Street
Phoenix, AZ 85003

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Thank you for your consideration.

Sincerely,

DJL:sko

2415 East Camelback Road
Suite 100
Phoenix, Arizona 85016
phone: 602.866.0900

David O Simmons

From: Aakash Trivedi <atrivedi31@gmail.com>
Sent: Tuesday, December 7, 2021 3:46 PM
To: David O Simmons
Subject: Support Email for Toll Brothers Happy Valley Road

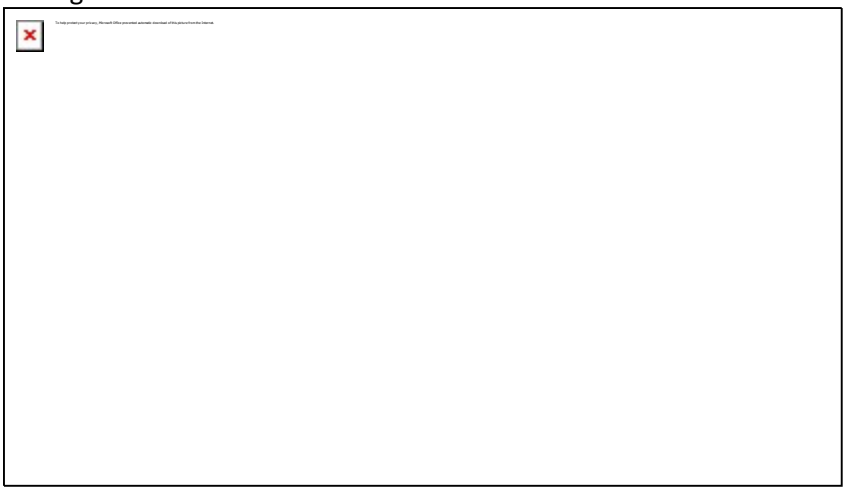
Hi there,

My name is Aakash and I am the general manager of the Best Western Plus Executive Residency Phoenix North Happy Valley.

I am giving my support for the toll brothers community project proposed at 19th ave and happy valley rd.

2108 W Whispering Wind Dr.
Phoenix, AZ 85085

Zoning Case : # Z-48-21-1 ITEMS 3 AND 4



www.bestwesternhappyvalley.com [bestwesternhappyvalley.com]
www.comfortinnfountainhills.com [comfortinnfountainhills.com]

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David O Simmons

From: Stacy B <aceuwish2334@gmail.com>
Sent: Tuesday, September 7, 2021 11:33 AM
To: David O Simmons
Subject: Re: Case # Z-48-21-1 items 4 and 5

Smartstop self storage
1740 W. Happy Valley Rd.
Phoenix, AZ. 85085
623-810-9799

Have met with Toll Brothers rep. and support this project. I will try to make the meeting on the 9th.

Thank you,
Stacy Browning SM

David O Simmons

From: Grant Helgeson <Grant@westland-properties.com>
Sent: Monday, September 20, 2021 1:28 PM
To: David O Simmons
Subject: Zoning Case # Z48-21-1 | Westland Properties 9/20/21
Attachments: Toll at Norterra Aerial.pdf; 210914 Lumara Renderings.pdf

Importance: High

David,

Good afternoon. Hope your Monday is going well. My name is Grant Helgeson and I'm the owner and one of the professional land brokers here at the Westland Properties Group in Scottsdale. This email is to voice our support for the Multi-Family rezoning efforts for the 12.23-acre parcel near 19th Ave & Happy Valley area in North Phoenix by Toll Brothers Multi-Family Division. The multi-family housing project for this area would bring much needed housing options in the luxury residence arena that are well-designed and resident friendly. Toll Brothers, who is the builder for this project provides creative designs that are thoughtfully planned and incorporates the surrounding neighborhood needs and considerations in every project they build.



Grant D. Helgeson
Westland Properties Group
8141 E. Indian Bend Rd, Suite 103
Scottsdale, AZ 85250
tel: 480-443-8570
fax: 480-443-3736
mobile: 602-762-1556
direct: 480-675-5149
email: grant@westland-properties.com


Bungalows
W Desert Hollow Dr
N 19th Dr
N 19th Ln
N 19th Ave
N 17th Dr
N 17th Ave
Pop
Toll
RH
Katz
NB
DSK
16th Ave
W Happy Valley Rd
WPG
Westland Properties Group
8141 E Indian Bend Rd, Suite 103
Scottsdale AZ 85250
Tel: (480) 443-8570
Fax: (480) 443-3736
www.westland-properties.com
1985
Imagery Date: 2/23/2019 lat 33.714518° lon -112.0

David O Simmons

From: Kim Cocuzza <kimcocuzzarealty@gmail.com>
Sent: Monday, December 6, 2021 7:44 PM
To: David O Simmons; jose.castaneda@maricopa.gov
Subject: GPA-DV_2-21-1 and Z-48-21-1

Dear Mr. Simmons,
I would like to speak at the upcoming meetings regarding the zoning change in our R43 neighborhood.

My husband and I are extremely concerned about the changes in our rural lifestyle. The amount of cars that will start near us each day if these projects are allowed will increase the declining air quality we have to breathe each day, we bought here 3 years ago to be in a rural neighborhood, high rise, high density projects threaten this and will cause massive traffic. We can't even get out of our area because of how congested 19th Avenue is. It is dangerous to get out and make a left on 19th Ave from Yearling road and sometimes you have to sit there for 10 minutes to get out. Please have the staff read our message and let us speak.

Thank you,

Kimberly Cocuzza
Realtor

480.616.1675 |
KimCocuzzaRealty@gmail.com | aareglobal.com
[aareglobal.com] | aare.tv [aare.tv]

Making dreams come true since 2002!

David O Simmons

From: Marjorie McCaw <marjorie318mccaw@yahoo.com>
Sent: Tuesday, December 7, 2021 11:18 AM
To: David O Simmons
Subject: Case GPA-DV-3-21-1 & Z-48-21-1

Dear Mr. Simmons,

I am a resident in the Happy Valley Island at 1647 W Briles Road for the last 4 years. I am writing in regards to the Toll Brothers zoning vote meeting case GPA-DV-2-21-1 & Z-48-21-1.

I would also like to put on record my opposition to the rezoning and Toll Brothers proposed build. I will be short and succinct as possible.

Firstly, I moved to this area with a certainty about our community. This proposed change in zoning and subsequent proposed apartment build take that certainty away. There is no longer the minimum 1acre lot per residence, the traffic, which is already significant, will be overbearing. This rezoning and build is not consistent with the existing immediate neighborhood. No where in our little island is there a 4 story complex. We are a small neighborhood of single family homes with a few businesses on Happy Valley and 19th, of which none are multiple story complexes of this size. This change takes away the certainty we expected when we moved into this neighborhood.

Secondly, I believe the current zoning is for medical and office buildings. An apartment brings no needed asset to our community. Medical and commercial offices bring a needed service to our area, an asset to our community and surrounding area. We support the development that adds a needed asset to our community and the proposed change in development is not it.

Thirdly, there are many homes in the Happy Valley Island that have livestock and horses. The increase in traffic and noise pollution will without question have an effect on those animals. The horses will not do well with this densely populated development. In addition, The residence at the proposed apartment build will be exposed to the smell of manure from the area and horse flies and undoubtable will be making complaints to the city.

Fourthly, I moved here with the understanding of the current zoning. I accepted that. Now it is being proposed to change that against my opposition and others. Do we as a community not have a say in the rezoning that occurs in our community for something that directly affects us? We are not asking for change on this zone only to honor the current zoning and honor the certainty we were granted when we moved into the neighborhood.

Fifthly, there are plenty of other sights in the surrounding area for apparent complexes to be built to support the housing needs. I don't see a justification for this build on this particular site when other areas are available to support an apparent complex. To support this build is to ignore our wishes to preserve the community in which we live in. The current zoning does not support the Toll Bothers proposed build and the zoning should remain as is for development. That has clearly been the voice of the immediate neighborhood.

Sixthly and extremely important, this will WITHOUT QUESTION lower our property values.

I sincerely hope that the voices of our community are heard and respected. We love our neighborhood and want to preserve it and keep the current zoning. The change in zoning and apartment complex is not way consistent with the character of the neighborhood.

Please add my comments to the meeting. I will be at the meeting on December 9th.

Thank you for your time and consideration in this matter.

Sincerely,
Marjorie McCaw

David O Simmons

From: James Wh <bruteyfool@aol.com>
Sent: Tuesday, December 7, 2021 7:09 AM
To: David O Simmons
Cc: jose.castaneda@maricopa.gov; Mayor Gallego
Subject: Concerning GPA-DV-2-21-1 Z-48-21-1 &. Z-2021051

Hello,

My name is James Whatley and I'm writing to have my statements put on file and to register to speak at the upcoming meetings this Thursday for both projects involving the area north of Happy Valley road along 19th Ave all the way to Parsons rd.

I am aresident and relative of one of the first homes built in this county island. These new planned apartment and "bungalow" housing projects do not fit in with the original character of our neighborhood.

The residents of this county island including myself have gotten together to fight these new builds and we all are in agreement that our Zoned R-43 properties need to remain so!

The land connecting to Parsons road is zoned R-43 (1 house per acre) and should remain that way. The builder is trying to build apartments conveniently renamed as "bungalows" . We are only "ok" with one house per acre! This county island is relatively small and the residents chose to live here because we all enjoy our privacy and our horses and other large stock animals. We are all connected by private and quiet roads. The families that live here, live off of water supplied by wells and we all have beautiful homes. We all enjoy our space and the peace and quiet that was guaranteed to us when we purchased the Character of this area.

The parcel just north of Happy Valley is zoned Commercial Business. Toll Brothers wants to rezone this and build an original 470 unit apartment complex there. They have accumulated more land so they will want to build even more units. We are fine with businesses moving in, this area needs more businesses, not more apartments! This area is not set up nor can it handle the type of development that is trying to move in this area.

These builders are targeting our area thinking they can come in and change the character and life style of this area for their profit. They can easily go somewhere else in the "city" and obtain land that is already zoned for there needs. Currently, there are multiple other apartments being built around us. There are more than 5 complexes being built within a mile radius of our county island. The growth in this area is beyond exponential at this time and this area is not prepared. All of the main feeder roads around us are 2 lane roads, except for Happy Valley road. There is already a huge influx of vehicle traffic and and traffic accidents that are occurring everyday, in an area not meant to handle such growth. Not to mention the excessive noise, light and air pollution that we are experiencing from the already over burdened surrounding communities. The next thing to get polluted is our ground water that all of us county islanders rely on to keep our families and our animals alive and healthy.

Please, take my words into consideration during these and all future meetings concerning this area and share these statements with your colleagues and meeting goers.

Thank you all for your time and understanding in this matter.

Sincerely,
James Whatley

Sent from my iPhone

David O Simmons

From: Alison McKee <alisonsmckee@gmail.com>
Sent: Wednesday, December 8, 2021 1:59 PM
To: David O Simmons
Subject: GPA-DV-2-21-1, Z-48-21-1
Attachments: Phoenix GPA-DV-2-21-1 Z-48-21-1.pdf

Mr. Simmons,
Please see the attached letter referencing GPA-DV-2-21-1 & Z-48-21-1. My husband and I are opposed to the rezoning and annexation of the property in question located near Happy Valley Rd. & 19th Ave. We are 10 year residents of the unincorporated, rural community bordering the vacant land that Toll Brothers wishes to develop with a "luxury" apartment complex. We have created a quaint homestead where we raise livestock and small stock to provide some of the food our family consumes. We also have horses, and a small herd of donkeys that are our wonderful companions. It is our wish that the village planning committee keep the zoning as is, as a commercial development on this land will help to better protect our rural way of life. We are asking for a no vote on the above referenced cases being decided in tomorrow's meeting. I would appreciate you sharing my letter with the committee and hope to be able to speak at the meeting tomorrow night.

Kind regards,

Alison McKee
1219 W Parsons Rd.
Phoenix, AZ 85085
602-702-3676

David O Simmons

From: Laura B <labrian1@gmail.com>
Sent: Tuesday, December 7, 2021 8:48 PM
To: David O Simmons
Subject: Case GPA-DV-2-21-1 & Z-48-21-1

Mr Simmons,

I am Laura Bates I am a resident in the Happy Valley Island at 1744 w parsons road. I would like to speak at the Toll Brothers zoning vote meeting case GPA-DV-2-21-1 & Z-48-21-complex.
We bought this property because we were enchanted with the characteristics of the neighborhood. We could have animals and had a fresh water well! Country living with all the convenience of a city .

We did our homework when purchasing our home and found out the lots across from us were zoned 1 home per acre like our home. The lot behind (the now KT) was zoned for medical office. This was a buffer zone from the commercial lot on happy valley.

We did this homework to make certain we would not have an eyesore out our front windows.

The residents have been talking about creating a gated community to eliminate traffic we already see.

At one of the meetings I brought up the traffic and traffic flow. I felt very dismissed. The lady kept saying they did a traffic study and it was fine. She insisted no one would take a right turn.

We have asked for details of the study and when it was done. No one has seen this yet.

We live there and are saying there is already traffic issues. At times it is difficult for us to safely make a left hand turn. WE take a right to avoid traffic. It is insulting to have someone dismiss our knowledge. We live with the increased traffic.

This will significantly reduce our property value or at least potential buyers. I know I would not buy it had I known I would have a 3 or 4 story building with hundreds of people coming and going.

There is plenty of more suitable land for this development. Land that home owners know what they will getting, when they buy.

I hope you can understand our concerns.

Regards,
Laura Bates

David O Simmons

From: dave beaver <davelbeaver@hotmail.com>
Sent: Tuesday, December 7, 2021 8:42 PM
To: David O Simmons
Subject: Case 2021 051

Dear Mr. Simmons,

My name is David Beaver, residing at 1732 W. Yearling Rd., Phoenix, AZ 85085. This is regarding case number Z 2021 051. I am opposed to the rezoning and the Toll Brothers project, cases GPA-DV-2-21-1 and Z-48-21-1.

My family have been residents here for 10 years. We enjoy this community. It's a perfect place to retire because of the convenience of our daily necessities, such as shopping, pharmacies, eateries, etc.

There are plenty of other properties off Happy Valley where they can develop multi-family zoning and build apartment complexes. I am not in favor of a re-zoning nor the Toll Brothers multi-family apartment complex. Please respect our desire to keep this Happy Valley island a single-family community.

Sincerely,

David Beaver

David O Simmons

From: Brian Bates <bbates@westusa.com>
Sent: Tuesday, December 7, 2021 8:26 PM
To: jose.castaneda@maricopa.gov
Cc: David O Simmons
Subject: Zoning on parsons rd

I purchased my property at 1744 w pardons rd with the knowledge that the vacant land south of my property was zoned for homes on 1 acre parcels, I believe r94 or something like that. There was also supposed to be medical offices right behind the business on happy valley. Changing the zoning now is taking away my certainty of the planning already realized. We have a lot horse properties and it would be sad to see the city or county destroy that by letting some rich developer come in and change our livelihoods. Leave the planning the way it was set to be and find more suitable property to build your high density housing. Thank you and I would also like to speak to you personally. 6233859296 Brian Bates

Sent from my iPhone

December 7, 2021

RE: Z-48-21-1 : (Companion Case No. GPA-DV-2-21-1) - OBJECTIONS

David Simmons, MA
Paradise Valley & Deer Valley
Village Planner *II
200 West Washington Street
3rd Floor
Phoenix, AZ 85003
602-262-4072
david.simmons@phoenix.gov

Mayor Kate Gallego mayor.gallego@phoenix.gov

District 1: Councilmember Ann O'Brien council.district.1@phoenix.gov.

District 8: Vice Mayor Carlos Garcia council.district.8@phoenix.gov

To All It May Concern;

While we were happy with the staff recognition of the character and land use pattern of our neighborhood,

[RE: October 8, 2021 - Proposed: (Companion Case No. GPA-DV-2-21-1) (Residential 15+ du/acre) (13.48 acres)

General Comments: 3. Staff has concerns with proposed height, density and character of the use proposed. This proposal is out of character with the surrounding area, as discussed in the pre application meeting. 19th Ave is the dividing line between higher density and lower density to the east.

4. Not consistent or compatible with character and land use pattern in surrounding area which is predominantly large lot single-family residential. Lower height, density and incorporate stepbacks from large lot residential.

5. Staff is not supportive of density proposed.

6. 55 feet is simply too high for this proposal at this location. Staff is not supportive of the proposed height.

9. Development is close to large lot County residential. Adjust height to be more consistent with projects in close proximity to large lot single-family residential. 55 foot maximum at highest point furthest from single-family residential is simply too high.

LIST OF USES: Staff recommend going with Residential 15+ on entire site OR lower density residential.

DEVELOPMENT STANDARDS: 1. Page 8 – Incorporate stepbacks in table (add a stepback exhibit as noted above); Add the development standards table. Still too high adjacent to large lot residential. Staff is recommending 2 stories from large lot residential, then up to a maximum of three stores farthest from large lot residential. 3. Page 8 - The max. units for the PUD is 470 units, which is much too high for the character of this area. Reduce density significantly as a result of the reduction in acceptable height for area. 8 – landscape setbacks should match the building setbacks - why the deviation? Increase landscape setbacks.

Tallest portion of the project should be the absolute farthest from single-family residential. Proposed height is not supported by staff. Building too tall for character of area. Staff is not supportive.]

We are disappointed that it did not go further to defend our long term homes and the overall rural Character of the neighborhood. This "County Island is not filled with all million dollar homes, We have a very diverse neighborhood, but most strive and are here for the same reasons. Many have animals that we can only have in a setting such as ours and many of us have raised Kids to Adulthood in the same family home their entire lives. There are a multitude of aspects to object to and there are lifetimes/styles/dreams/realities and more at stake, so I respectfully ask that you read this slowly, and in its entirety and remember that your decisions really will only have a lasting effect on those of us who RESIDE within the boundaries of this County Island that we are trying to defend. Others will never know if they didn't get to live in an apartment that was never built. (but they might someday get to be a homeowner with horse privileges and more) That btw being one of the multiple aspects to our objections. One of the greatest things about the Phoenix metropolitan area is the diversity of options when it comes to housing. Within the "city" aspects there are many areas where you can feel/be "rural" and very few big Cities can boast that. We feel based upon the many promises and analysis over the years that we witnessed and relied upon while we built our lives, that you have a higher obligation to stand up for us.

At What Point in time was it decided that Investors get priority over Owner Occupied Residential entities no matter what.

I wish I could be short and to the point, but thats very difficult to do when there are so many points. I truly am not trying to filibuster your time, but its hard to condense so many grievances.

We have dealt with and been surrounded by growth for many years now, but this proposed development will not surround us, they will invade, envelop, and suffocate us and our animals . They are stepping directly within and chipping away at our borders which with Certainty would change the overall character of our Community. It is sad that you would allow that to happen to your constituents. How long before you start getting complaints because of horses, donkeys bees, etc. But the density is the biggest issue for us all - why not a small gated community with 1/3 acre (even better 1/2 acre) homes that would temper and flow very readily into our community. We are a small landlocked county island with numerous residents that desire to leave it that way. What right does anyone have to buy Land zoned R-43, and identified multiple times by government entities as an area that would be retained as rural, and destroy it's character simply for the fact that it was cheap (compared to already zoned and appropriate parcels). Over the years we believed what we were told from the Deer Valley Planning Commission (who we were lead to believe carried the most weight), multiple times, this area was meant to remain low density , and we took them at their word.

So to be clear, we have no objections nor issues with people or companies buying vacant land on the off chance that at some point in their investment lifetime this will pay off for them. And in some instances that might make sense. Within the boundaries of our land locked County (partially Phoenix) Island however, this does not. Therefore WE OBJECT. Parcel sizes to build homes in our area have always (for decades) required 1.00 acre (or more) of land for (1) single family home. That is how it should remain as the people who did buy and build in our area relied upon those decade old reassurances. Many of us invested much more than money in building homes and helping to maintain this area to retain core amenities that most people were seeking when they chose to build their lives here.

We personally bought our land in the 1970's and built our homes in the late 1980's, we did not ask for the "progress" that came to this area in the form of businesses, traffic etc. but we also weren't naive enough to think that we could stop many aspects of it. But all indications had still been (until most recently) that most business entities would be minor and only allowed on the South side of HV and High Density Residential wasn't even on the radar. It was not until quite recently that residential was even a part of that mix and now we are being bombarded (RE: Maricopa County Case # Z2021051 Bungalows) at a very rushed and increased pace. Development Reps have been canvasing our neighborhood, misrepresenting the desires of the majority and doing their best to strong arm and coerce support for something that has NO BENEFITS to the neighborhood, only to the developers themselves.

Most all agree we would actually prefer the commercial zoning in place for this parcel allowing for medical and small businesses from which the area could benefit from local business entities and Dr's, with minimal traffic and increased crime risks. These "Developers" are making a conscious choice to purchase land that is not zoned compatible with their original intent, obviously with the belief that they can buy their way in, which was obviously cheaper than buying land already zoned for their intent purposes, as that land is currently in abundance throughout this area. Instead they are choosing to encroach upon us, hoping to plow and bully their way around to get their way. We implore you please do not allow this to happen.

We were lulled into believing that the land-locked area we occupied would be mainly immune to density changes for several reasons. First and foremost, I'll site the DV Planning Committee again (which we attended many a meeting over the years) and their written assurances of 19th Ave being the dividing line for maintaining the existing low density profile to the East of 19th Ave, along with the County zoning plan of R-43 and by 2 other facts. that I believe should also still play very big into this decision by you; 19th Ave Northbound from Happy Valley Rd (HV) is essentially a road to nowhere, as is HV Eastbound from 19th Ave. These 2 facts also led us to believe that there was never an intention on increasing density onto roads that can not handle the traffic increase that comes with it, even with modifications.

So please consider these overall traffic aspects carefully;

Happy Valley Rd. on our South Boundary, is a road to and from nowhere, and I can't imagine that ever changing (ooops there I ago again) due to the topography east of 7th St. and the fact that homes are built directly in the path where HV comes out on Cave Creek Rd.

Our West Boundary, 19th Ave northbound is also a road to nowhere. At Jomax it ceases to exist and all traffic heading west is mainly bound for the extensive SINGLE FAMILY RESIDENTAL DEVELOPMENTS that are in the other basically landlocked areas of Jomax, Norterra Parkway and North Valley Parkway. 19th Ave turns into North Valley Parkway which within less than 2 miles also has Norterra Parkway meld into it which then in approximately one mile ceases to exist completely as a road that can handle "traffic", so encouraging anyone along that route is ludicrous as I'm sure most residents in that area will agree. Very few businesses or high density developments exist in that area and yet the traffic is already extensive due to the physical size of the area and the lack of direct access from the east, west and North sides of this area.

USAA's development was difficult enough for our R-43 zoning to have to accept but at least this was tempered by mainly single family homes with easy access to the main Roads such as Happy Valley (which holds mainly businesses) , Jomax or Norterra Parkway, again mainly businesses until Jomax. The small stretch of 19th Avenue from Happy Valley to Jomax is already way overloaded with traffic during peak hours, and that wouldn't change even if they expanded that section to 4 lanes. On weekday mornings, southbound traffic coming from North Valley onto 19th is ridiculous and

has a high amount of speeders and red light runners. This is already soon to change as Union Park will soon be building its Northside which will greatly increase that 19th Avenue traffic once again. The only saving grace we (and you) currently have is the fact that the East side of 19th Ave between HV & Jomax are all single family residences on minimum 1.00 acre parcels. There are NO businesses and NO high density residences. If you change that demographic, you will create an even more dangerous traffic pattern than what already exists.
The two developments are requesting extreme changes to the current density requirements, and neither one will have ANY access in or out other than that onto 19th Avenue and (as proposed in this development) couple that with the traffic from Union Parks access to 19th Ave. In the mornings it is already impossible to turn onto 19th Ave south.

Union Park has direct access to Happy Valley Road, that helps with the traffic in and out of the Southern part of that development but as they also have access to 19th Avenue, traffic is generated at Parsons Rd. The same will happen with their Northern part of development now underway, they will have access to Jomax (which will create another traffic nightmare for those neighborhoods to the North, but again will also have access to 19th Avenue which will generate more traffic at Briles Rd.. Adding any more density developments that require access from 19th Ave between Happy Valley and Jomax is insane. There has been reliance for many years within our neighborhood of large (minimum 1.00 acre parcels) and the Deer Valley planning commission has always identified our little triangular County Island to retain that low density zoning as anything else would be a major disruption on many many levels.

To encourage any more traffic onto this pathway (19th between HV and Jomax) to go North or south, or onto HV (east of 19th) is disruptive to ALL of the residents located within the boundaries of Happy Valley, 7th St., Norterra Parkway, up to Dixleta on the North side, not just our Island.

Essentially we feel it is critical to reject ANY High Density development (or any Commercial development that would attract a high traffic volume) on the East side of 19th Avenue between Happy Valley and Jomax - If we had to accept some reduction in the R-43 footprint again the preference would be a minimum .5 acre (.33 if pushed) single home footprint to blend in with the existing 1.00 acre parcels. There is still plenty of money for developers to make from that.

ADDED to the above nightmares, If you Approve this request, there are several other things I can state with certainty that I hope you consider carefully, as we also have vested interests in this area;

The Home we just finally paid off after 33 years will immediately DECREASE in value and likely continue that path.

The lifestyle that we worked so hard to achieve and maintain and enjoy will be now LOST just as we are starting our retirement years. The homes our children were raised in and hoped they might raise their children in will be no more.

The livestock/animals/fowl we have will likely be in more danger now from humans than any other natural predators we currently have. These residents will be right up against properties with horses/livestock, flocks, hives etc, and who knows how anyone offended by the environment that comes with that will react.

You didn't do this to Sunburst Farms, You didn't do this to Western Meadows, This wasn't done by Peoria to Longhorn Ranch or Thunderbird North, please DO NOT do this to our small landlocked County Island. Allowing ANY developments within our borders with a density greater than our current zoning is a death sentence to the lifestyles we have carefully cultivated and sacrificed for over the years.

Our small land-locked County Island has always allowed for us to maintain that rural lifestyle that has been here since we bult in 1988, we've watched the Walmarts come, the Circle K's and even a large residential development, yet none of those even came close to threatening our rural lifestyle the way these two proposed developments are now doing

Respectfully and with Hope that for once the little guy can win on principal alone, not through drained bank accounts as obviously we don't have the $$'s to fight these battles, just simple faith that sometimes the bigger picture can win out.

If you read this to the end (and I apologize for my repetitiveness) I greatly appreciate your time and consideration, I know I'm long winded (ask my daughter about my texts!!) when I'm passionate about an Issue and as this one really determines our whole future and I wanted you to take a great many things into account when making this decision.

I am unable to attend this current meeting as I will be working so I'd appreciate this being entered into the record if you would.

Laurel & Richard Brodie
25657 N. 17th Ave
Phoenix, AZ 85085

12/7/2021

Dear David Simmons,

Re: Case GPA-D-V-2-21-1 and Z-48-21

My name is Melissa Crawford. I live at 1736 W Parsons Rd., Phoenix, AZ 85085. I live directly north of the proposed project and OPPOSE the change of zoning. This change would greatly impact our family and lifestyle. We bought here almost 18 years ago for the character of the neighborhood. We have seven children and 2 grandchildren who play in this neighborhood. My daughters are heavily into 4H. Our neighborhood allows us to care for our animals and prepare them for both State and County Fairs. My daughters also ride horses and prepare for Horse Shows. Our 4H leader also lives in this neighborhood. The proposed plan would change the character of our neighborhood and how we operate in our day-to-day lives. The increased traffic would be atrocious as we already have a hard time entering onto 19th Ave.

There will also be an increase of crime as more people will be introduced into our area. This is a small community where we all know each other and look out for each other. The proposed plan is trying to combine two completely different lifestyles.

All of these issues lead to a decline of our community, lifestyle and livestock. It will cause a stress on all the horses and other livestock in the community and will compromise the safety of our children. Last but not least, this development will negatively impact our property values.

Please hear our community and vote against the change from R43 to R2. Keep the integrity of our community.

Sincerely,

Melissa Crawford

623 606 7248

tryitonjewels@aol.com

David O Simmons

From: rusty hill <rustyhill222@gmail.com>
Sent: Wednesday, December 8, 2021 3:02 PM
To: David O Simmons
Subject: Meeting Delay on Purposed Zoning Change

Sir, My name is Richard J. Hill Jr. and I go by Rusty. My address is 1808 West Parsons Rd. This is concerning the proposed zoning change from R-43 (1 house per acre) to R-2 (Apt. buildings), application #'s Z-48-21-1 and Z2021051, I am asking for a delay on the vote of the committee. I just received the updated time on the Z2021051 sign,Monday 12/6/21. Up until this time there was no time listed. I checked regularly. I have not received any notices by mail from anyone except the contractors lawyers. Which are conflicting with the Notice sign. I am having problems with my computer and have to go to neighborhood meetings to catch the contractors fabricated fiasco about "luxury shoe boxes". I am in the process of Writing a detailed letter that I will send to you and everyone involved.. Once again... This is a request for a delay on the vote at the Deer Valley Planning committee meeting at 6PM, 12/9/21. I found out about this meeting, monday at our neighborhood meeting and need more time before the vote. Please consider my request
in the name of fair play. Just one more note in case my request is denied..... The proposed entrance and exit to the apt's on 2021051 is directly in front of my house. NOT!!!


Virus-free. www.avast.com [avast.com]
[avast.com]

David O Simmons

From: Travis Burke <travis@nurturescapeaz.com>
Sent: Wednesday, December 8, 2021 8:03 AM
To: David O Simmons
Subject: GPA-2-21-1 & Z-48-21-1

Importance: High

Dear Mr. Simmons

I live at 26215 N. 17th drive Phoeniz az 85085 in the county island.

My wife and I specially sought out this area because of its unique zoning of 1 acre parcels per home. This ensures that the area will remain large estates and not be overrun with town homes or apartments or even cookie cutter new builds you see all over the valley.

We are totally against the rezoning of the county land to allow these types of apartments.

Thank you for your consideration on this matter

Travis Burke - Owner
NurtureScape Landscape Company
Cell- 602.621.3355
Nurturescapeaz.com
ROC 331593

David O Simmons

From: Valerie King <nothing.missing@yahoo.com>
Sent: Tuesday, December 7, 2021 5:38 PM
To: David O Simmons
Subject: Cases

Dear Mr. Simmons

My name is Valerie King, and my address is: 1732 W. Yearling Rd., Phoenix, AZ 85085. I am writing you regarding case number Z 2021 051. I am strongly opposed to the rezoning and the Toll Brothers proposed development, (cases GPA-DV-2-21-1 and Z-48-21-1).

We searched 3-1/2 years for our ideal location for our new home. The major perks that stood out for us in moving to this community is the single family neighborhood and country style living. After 10 years of living here, it breaks my heart to think that there could be a rezoning to make my beautiful neighborhood a multi-family living space. This is where I chose to retire and I don't want to be forced to move anywhere else.

There are plenty of other properties for the Toll Brothers to build on outside of our little Happy Valley island. Please let our voices be heard so we can keep our neighborhood to a single-family not multi-family zoning. Respectfully, don't let the rich developers squash the little folks that live in this single family community.

Smiles,

Valerie King

David O Simmons

From: Julie Burns Office <julieb@hawkeyecustomlandscaping.com>
Sent: Tuesday, November 30, 2021 7:22 AM
To: David O Simmons
Subject: Z48-21-1 and gpa-dv2-21-1

Dear City of Phoenix, Deer Valley Council Members, Maricopa County Council Members, Mayor Gallego,

My name is Julie Burns. I live one house and block from the numerous high density planned development's in our area.

We have met with Toll Brothers attorney's several times. We dispute the traffic report. They want to characterize the residence as "not for development," "not for building," "not for infrastructure," "not wanting change," "Not knowing how good this would be for our neighborhood," "not knowing what's good for the community, City of Phoenix or State of Arizona." Let me tell you who we are in your community, City of Phoenix, and State of Arizona. We are your business owners, entrepreneurs and hard workers that depend on the construction economy.

WHO WE ARE:
We are your Registered Nurses, BSN's who take care of our community, your Anesthetist who makes sure you wake up during a procedure, your landscape construction company to give great outdoor spaces owner, your realtor to sell you homes, your granite slab installation company owner, your drinking water purifier owner, your plumber owner, your electrician owner, TWO well drill owners, TWO pest control company owners, TWO Turf Paradise Race track owners and trainers, your FedEX driver, your tree trimer owner, your landscape maintenance owner, your Post Master who delivers your mail, your custom car restoration owner/Professional Race Care Driver, your Professional World Wakesurfer, your cheerleader coach, your school teacher, your retired Veteran's who bought the land when first offered by the government, your Veteran's widower, your marshal arts studio owner, assisted living home owner, your high level corporate professional for a publicly traded company, ect

So, if you think we can't do change, let me tell you what we have been through and changes made to make it through the Great Recession, COVID, and now inflation. We want and need change, development, growth and population for our lively hoods. However, the above neighbors are united in preserving the character of our neighborhood.

KEEP CURRENT ZONING

First and foremost, I want to say I'm sorry to our four neighbors (zoned R-43) that are under escrow with the developer. I do not intend to do them harm by opposing the high density development. However, maybe I'm doing you a favor. By now, you see that you can not buy a home similar to our area for any price. Not even one million dollars… I'm sorry to go against your wishes. However, I will not throw in the towel for our lifestyle and character of our neighborhood.

Now, to express to DV staff my desire to deep the current zoning Medical offices and General Comerance (5 ac) and R-43 (10 ac) just how it is. I don't think the proposed R-43 should be changed to any type of commercial zoning. With the current zoning, this will allow the proper buffer that is needed for our county island neighborhood. The current zoning will allow a proper buffer and keep our character of the rural neighborhood.

Please, consider all the comment's you received from the residences of our little county island. This high density development is not wanted in our area and will not fit the character of the area. We just want the existing commercial buffer and no more. We love the rural character of our neighborhood. We hope you too, can look past what the developers want to turn our neighborhood into. We love our lifestyle. Please DON'T recommend this high density development in are area. KEEP the CURRENT ZONING.

NOTES of Letter- Meeting City of Phoenix Annexation My name is Julie Burns. I have three separate one acre lots on Yearling. The first acre is one lot in from the subject property on the North side of Yearling. The second acre is three lots from the subject property on the North side of Yearling. The third acre is two lots down from the subject proper on the South side of Yearling. One house is currently being built by my Son contracted with NextGen builders, I live in the other house and the third acre has a beautiful shed, I'm using for my horse barn. So, I have a lot invested in this immediate area.

When the state land sold to USSA, they worked with the neighborhood to get our input in the development. We agreed to have a walk around the whole development for horses/runners, bikers etc. We worked on agreeing to have commercial focused on Happy Valley/Jomax and agreed to have houses on 19th Ave. Guess what…? USSA and their developers didn't change anything along the way. USSA was respectful for our needs to keep our neighborhood character. And I thank them tremendously, because, I now see how easy it is for changes to happen along the way out of sight of the neighbor's.

So this round of developers wants high density development in our neighborhood and has no concern for the character of our area. We have new homeowners and original homeowners with residences in this area that want to keep things rural. Not changing the rural feel is the main goal our neighborhood want and need for development.

The developers have ignored, lied and disregard our desires during their community outreach.

This little annexation to the City of Phx is just a "baby step" to use a quote from Dave Ramsey. It will lead to more high density development with this developer that doesn't listen to the neighborhood and a lack of respect for our lifestyle.

All services that is desired can be done within Maricopa County. A water well can supply up to 4 homes. We have fire service, sheriff's and anything else a homeowner would want.

I'm opposed to the City of Phoenix encroaching on our rural living. And I'm opposed to the developers not listening to the homeowners that have lived here for 50 years to only 6 months. We should have a voice…? KEEP ZONING AS IS.

Our main goal is to keep commercial on Happy Valley. One acre lot in. It is slowly encroaching more into our neighborhood by the developers silencing our neighbor's by making offers and being in escrow with the homeowners. Low balling them with offers that cannot replace their current lifestyle.

Please listen to our desires. We know this is a baby step for this developer. We DO NOT WANT City of Phx in a random spot in our R-43 neighborhood and We Do Not Want high density zoning R2 or other equivalent zoning.

--
Julie Burns,

Sincerely,
Julie Burns
Hawkeye Landscaping, Inc
623-582-1122

David O Simmons

From: Stephen Murphy <sbmurphy6570@mac.com>
Sent: Wednesday, December 1, 2021 9:38 AM
To: David O Simmons
Subject: Case GPA-DV-2-21-1 & Z-48-21-1

Mr Simmons,

I am a resident in the Happy Valley Island at 1647 W Briles Road for the last 4 years. I would like to speak at the Toll Brothers zoning vote meeting case GPA-DV-2-21-1 & Z-48-21-1.

I would also like to put on record my opposition to the rezoning and Toll Brothers proposed build. I will be short and succinct as possible.

First I believe this build is not consistent with the existing immediate neighborhood. No where in our little island is there a 4 story complex. We are a small neighborhood of single family homes with a few businesses on Happy Valley and 19th, of which none are multiple story complexes of this size.

Secondly, I believe the current zoning is for medical building. I mention this because medical offices bring a needed service to our area, an asset to our community. This would benefit our community and not just the Happy Valley Island. I know that there will eventually be development on those grounds, I don't see any benefit to us with a large apartment complex nor is it consistent with any building in that area in regards to size and design. Development will come, this is not the development that I support for our neighborhood nor do the majority of my neighbors.

Thirdly, I moved here with the understanding of the current zoning. I accepted that. Now it is being proposed to change that against my opposition and others. Do we as, a community, not have a say in the changes that occur in our community for something that directly affects us? We are not asking for change on this zone only to honor the current zoning.

Fourthly, there are plenty of other sights in the surrounding area for apparent complexes to be built to support the housing needs. I don't see a justification for this build on this particular site when other areas are available to support an apparent complex. To support this build is to ignore our wishes to preserve the community in which we live in. The current zoning does not support the Toll Bothers proposed build and the zoning should remain as is for development. That has clearly been the voice of the immediate neighborhood.

I sincerely hope that the voices of our community are heard and respected. We love our neighborhood and want to preserve it and keep with the current zoning. The apartment complex is in now way consistent with the neighborhood.

Please add my comments to the meeting.

Thank you for your time and consideration in this matter.

Sincerely,

Stephen B Murphy
(219) 308-8516

David O Simmons

From: Julie Burns <julieb@hawkeyecustomlandscaping.com>
Sent: Wednesday, November 3, 2021 5:48 AM
To: David O Simmons
Cc: Melissa Crawford; James Whatley
Subject: Z-48-21-1 & GPA-DV-2-21-1 and City of PHX Formal Meeting September 15th Article 26 (annexation Yearling & 19th Ave)

Dear City of Phoenix, Deer Valley Council Members, Maricopa County Council Members, Mayor Gallego,

My name is Julie Burns. I live one house and block from the numerous high density planned development's in our area.

We have met with Toll Brothers attorney's several times. We dispute the traffic report. They want to characterize the residence as "not for development," "not for building," "not for infrastructure," "not wanting change," "Not knowing how good this would be for our neighborhood," "not knowing what's good for the community, City of Phoenix or State of Arizona." Let me tell you who we are in your community, City of Phoenix, and State of Arizona. We are your business owners, entrepreneurs and hard workers that depend on the construction economy.

WHO WE ARE:
We are your Registered Nurses, BSN's who take care of our community, your Anesthetist who makes sure you wake up during a procedure, your landscape construction company to give great outdoor spaces owner, your realtor to sell you homes, your granite slab installation company owner, your drinking water purifier owner, your plumber owner, your electrician owner, TWO well drill owners, TWO pest control company owners, TWO Turf Paradise Race track owners and trainers, your FedEX driver, your tree trimer owner, your landscape maintenance owner, your Post Master who delivers your mail, your custom car restoration owner/Professional Race Care Driver, your Professional World Wakesurfer, your cheerleader coach, your school teacher, your retired Veteran's who bought the land when first offered by the government, your Veteran's widower, your marshal arts studio owner, assisted living home owner, your high level corporate professional for a publicly traded company, ect

So, if you think we can't do change, let me tell you what we have been through and changes made to make it through the Great Recession, COVID, and now inflation. We want and need change, development, growth and population for our lively hoods. However, the above neighbors are united in preserving the character of our neighborhood.

KEEP CURRENT ZONING

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doing you a favor. By now, you see that you can not buy a home similar to our area for any price. Not even one million dollars… I'm sorry to go against your wishes. However, I will not throw in the towel for our lifestyle and character of our neighborhood.

Now, to express to DV staff my desire to deep the current zoning Medical offices and General Comerance (5 ac) and R-43 (10 ac) just how it is. I don't think the proposed R-43 should be changed to any type of commercial zoning. With the current zoning, this will allow the proper buffer that is needed for our county island neighborhood. The current zoning will allow a proper buffer and keep our character of the rural neighborhood.

Please, consider all the comment's you received from the residences of our little county island. This high density development is not wanted in our area and will not fit the character of the area. We just want the existing commercial buffer and no more. We love the rural character of our neighborhood. We hope you too, can look past what the developers want to turn our neighborhood into. We love our lifestyle. Please DON'T recommend this high density development in are area. KEEP the CURRENT ZONING.

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I'm opposed to the City of Phoenix encroaching on our rural living. And I'm opposed to the developers not listening to the homeowners that have lived here for 50 years to only 6 months. We should have a voice…? KEEP ZONING AS IS.

Our main goal is to keep commercial on Happy Valley. One acre lot in. It is slowly encroaching more into our neighborhood by the developers silencing our neighbor's by making offers and being in escrow with the homeowners. Low balling them with offers that cannot replace their current lifestyle.

Please listen to our desires. We know this is a baby step for this developer. We DO NOT WANT City of Phx in a random spot in our R-43 neighborhood and We Do Not Want high density zoning.

--
Julie Burns,

Corporate Secretary Hawkeye Landscaping Inc. Office 623-582-1122 fax 623-434-1814 hawkeyecustomlandscaping.com Mailing Address: 1717 W Yearling
Rd Phoenix AZ 85085 Physical Address: 24401 N 15th Ave Phoenix AZ 85027

David O Simmons

From: barbara zimpleman <blynz@cox.net>
Sent: Tuesday, September 7, 2021 12:18 PM
To: David O Simmons
Subject: apartments and dense housing.

We moved out here for the quiet, neighborhood feel that was here. Now the apartments in fornt of a high school, the so called luxury tiny leased homes, and other densely packed housing being built around the pinnacle Peak to Happy Valley areas on both sides of I 17 are making it a nightmare. The roads are not sufficient for the numbers. The crime and number of just plain scary people moving in is ridiculous. The statements that this area was always supposed to be built up to the level you are working on is ridiculous. My husband and I hate it. You are ruining our neighborhoods, the places we like to go, and making this area feel like the beginnings of a slum. STOP IT.

David O Simmons

From: Julie Burns <julieb@hawkeyecustomlandscaping.com>
Sent: Monday, September 6, 2021 8:26 PM
To: David O Simmons
Subject: comments case 48 hour notice

Hi,
I would like to set up a time to speak. Application GPA DV 2-21-1
#Z-48-21-1

Also, add my comments I'm opposed to such a high density building in a rural area. Does not fit the rural neighbor hood. No high density building within a 10 mile radius. Does NOT fit!

Sincerely,

--
Julie Burns,

Corporate Secretary Hawkeye Landscaping Inc. Office 623-582-1122 fax
623-434-1814 hawkeyecustomlandscaping.com Mailing Address: 1717 W Yearling Rd Phoenix AZ 85085 Physical Address: 24401 N 15th Ave Phoenix AZ 85027

David O Simmons

From: julie burns <hawkeyestables@gmail.com>
Sent: Tuesday, August 24, 2021 6:32 AM
To: ngriemsmann@swlaw.com; David O Simmons
Subject: Meeting ID 915 4472 3195 Norterra Bungalow

Good Morning,

I wanted to express my concerns related to the high density zoning change for the Maricopa County Island. We currently are zoned R-43. Meaning one house per acre. Any change to the county island would be an extreme upset to the rural living that has become homes to many families.

This long term land owner has not cared about the communities concerns. They have been informed several times by multiple land owners that homeless and trash has accumulated on the property. Nothing has been done.

Looking back on the property over 10 years, there have been multiple violations related to trash on site. He has agreed to clean up and fence.... No performance on the developers part...STILL homeless and trash and dumping onsite.

Stay Safe,
Julie Burns
1717 W Yearling Road
602-695-3903

David O Simmons

From: Connorburnsurf <connor@connorburnsurf.com>
Sent: Tuesday, September 7, 2021 3:13 PM
To: David O Simmons
Subject: Add comment

Case # Z - 48-21-1
And case #GPA-DV-2-21-1

I live at 1710 W. Yearling Rd.. Phoenix AZ 85085. I am against high density development behind Circle K. Medical buildings are OK. However absolutely no high density residences. It will ruin the character and charm of our county island.

Sincerely,
Connor Burns

David O Simmons

From: Courtney Hamby <courtneyhamby29@gmail.com>
Sent: Tuesday, September 7, 2021 8:30 PM
To: David O Simmons
Subject: Reference Z – 48–21–1 the second reference is GPA-DV-2–21-1

Hello,

We wanted to make sure and get this email over to you, we are definitely apposed to the building that will be taking place. We are very concerned about it bringing low income housing and what type of people that may bring into our neighborhoods. We are also concerned with the congestion this is going to cause to our county island, it would be so nice to see our county island stay as customized home building.

Our address is 1707 W. Yearling Rd. Phoenix, 85085

Thank you,

Courtney Hamby
Wayne Butler

David O Simmons

From: Diane Habener <diane@habenerrealty.com>
Sent: Wednesday, August 4, 2021 5:16 PM
To: David O Simmons
Subject: Case No. Z-48-21

Dear Mr. Simmons,

I live at 25312 N. 16th Avenue. My 2 1/2 acre property is about 1000' east of the proposed development. As a licensed Real Estate Agent and Broker working in both Arizona and California for over 40 years, I am familiar with Real Estate developments. And when I purchased my property in 2000, USAA had just purchased the section of land near me, so I always knew that there would be development around me. What I, and most of my existing neighbors, hope to do is retain our little pocket of rural/horsey feeling County Island. I believe that the current zoning that the City already has in place of Commercial Office and Residential (3.5-5 dwellings per acre will provide the best buffer from 19th Avenue to the interior properties.

The General Plan Amendment and Rezoning request might be MINOR per the City's definition but 470 units crammed onto 12.46 acres in 3 and 4 story buildings is MAJOR and is completely incongruous with the surrounding neighborhood for the following reasons:

1) 2 stories is the most that has been allowed in the neighborhood previously.

2) It is normal, accepted development procedure to have commercial zoning beside high traffic areas.

3) There are already a plethora of apartments that have been and are being built in the area, including 212 units on Happy Valley directly south of this property.

4) A buffer of residential homes on bigger lots would be more in keeping as a buffer to the County properties that are all on 1.25 acre or larger lots.

For all of these reasons, I am completely opposed to the proposed zoning and in favor of the current zoning.

Sincerely,
Diane Habener :)
(925)209-6480

Sent from my iPhone

David O Simmons

From: Diane Habener <diane@habenerrealty.com>
Sent: Tuesday, September 7, 2021 4:31 PM
To: David O Simmons
Subject: Development behind Circle K on 19th Ave and Happy Valley, Z-48-21-1 and GOA-DV-2-21-1

Dear David,

I sent an email previously about this development. I live in the pocket of County and have my horses in the backyard.

The area is currently zoned commercial and should remain that way! A New Mexican Restaurant just opened on the north side of Happy Valley, west of 17th Ave. It has been continuously packed since the opening! There is definitely a need for more places with commercial zoning in this location!

At the last meeting, I asked why the apartments needed to be 4 stories and was told that it had to do with costs. It should not be the responsibility of the neighbors to make this project work for the developers. Rather, it is the developers who need to work with the existing neighbors. There is nothing in the area taller than 2 stories and most of the homes in the area are in fact single story. To allow 4 story apartments to be built and be able to look into all the neighboring yards is completely unacceptable.

Please listen to the already existing neighbors! We are the ones that have to live with the results of whatever is built. There are plenty of other locations where apartments make more sense. At the last meeting, it seemed like they was a lot of input from people that do not live right here in our area. More weight needs to be put on the neighbors that live and plan on continuing to live in the area.

I would, also, like to speak at the upcoming meeting if I can figure how how to register to do that. The City's system does not seem to be very user friendly.

Thank you.

Sincerely,
Diane Habener
25312 N 16th Ave
Phoenix, AZ 85085

Sent from my iPhone

David O Simmons

From: Timothy Schollmeyer <desertsun@cox.net>
Sent: Tuesday, September 7, 2021 10:19 AM
To: David O Simmons
Subject: APPl: GPV-DV-2-21-1 & Z-48-21-1

David Simmons,

We were just inform of this up coming meeting. We would like to attend this meeting. Please forward the information necessary for us to attend. Very upset they this LLC did not post properly (14.10.020 Notice of public hearing [codepublishing.com]) about the notice of the meetings. I guess we can blame this on COVID as well..... I have been informed that this LLC has also purchased the land to the north of this and wants to do the same thing (3-4 story Apartments). If this gets passed they will want to do the same thing on the north property he has purchased. Also why were these families that the LLC bought the land from given upfront hush money ($5000) prior to this??????

I understand development, I have no issue with that. But I do have issues with 3-4 story apartments going up in my neighbor. That makes them become low end housing and brings in the crime, drugs and violence. It will also put more vehicles in our area that has a lot of traffic to begin with. If you stay with the single level bungalows/cottages that is a lot less people and less traffic and the schools can handle to flow of new kids in area. Also the type of people that the bungalows/cottages bring in are more family orientated not the rift raft.

Please forward information so my voice can be heard.

Dusty Schollmeyer

602-561-6651

David O Simmons

From: James Wh <bruteyfool@aol.com>
Sent: Tuesday, September 7, 2021 6:32 AM
To: David O Simmons
Subject: Applications GPV-DV-2-21-1 and #Z-48-21-1

Mr. Simmons,

I'm writing to voice my concerns and to be added to the attendance list for Thursdays meeting at 6p concerning applications
GPV-DV-2-21-1 and #Z-48-21-1

I speak for my household in that we are against the building of multi family housing on our county island.
Our county island is zoned R-43 and we are trying to maintain a neighborhood of like minded families who enjoy the freedom of space, quiet and security.
With the city putting in apartments in every vacant lot around us and the increased growth of this area we are getting choked out and others are being forced out. All of this do to the drop in property values, increased crime rate, excessive traffic and pollution due to the swarms of people moving into this area.
The city already can't keep up with fixing our roads from this boom in population. The roads aren't wide enough to accommodate the amount of people coming into this area, they've already had to add a electrical substation across from this proposed location. All of this is adding to the smothering congestion and destroying our views and air quality.

I look forward to attending Thursdays meeting and sharing these issues. Please add me to the attendance list and share my email with your colleagues.

Thank you,
James Whatley

Sent from my iPhone

David O Simmons

From: James Wh <bruteyfool@aol.com>
Sent: Wednesday, October 20, 2021 3:27 PM
To: David O Simmons
Subject: Z-48-21-1. GPA-DV-2-21-1 Toll Brothers Lumara virtual meeting

Hi David,

We had our follow up meeting with Toll Brothers last night regarding the proposed project on 19th ave north of Happy Valley.

We had a good turn out from our neighbors and actually got some of our concerns and questions addressed, not answered but addressed. We have an issue with one person that is always present and has had his comments read at every meeting. His name is Clif Freedman and by some stroke of luck, his comments approving this build are always the first ones read, followed by two anonymous comments in favor of this build as well. This has been the issue with the meeting on 9-23 and the one last night, 10-19.

After looking up Mr. Freedman from his comments on Nextdoor app and googling him. I've discovered that Clif lives off of Dove Valley road which is five miles away from this build site. Our concerns with this project do not affect him in anyway.
I also discovered that in 2011, Mr. Freedman started the Sonoran Citizens Improvement Association to combat the "Road to Nowhere" build that would connect his residential road of Dove Valley east to Cave Creek. He fought adamantly against this, citing some of the same concerns that we are, ie: traffic congestion, air and noise pollution, loss of character and beauty in an undeveloped area.

My question is, how can this man be totally against development one day and turn around and push so hard for this to pass? The answer is, he can't, he wouldn't be unless he has skin in the game. He doesn't even live near us and he is at every meeting saying how wonderful this build is.

The second part of my question is, why are anonymous comments read and recorded? When you sign up for the zoom call so that you can type in questions, you have to provide a name. When you type your question, it automatically inputs that name into your comments. There is not an anonymous option!

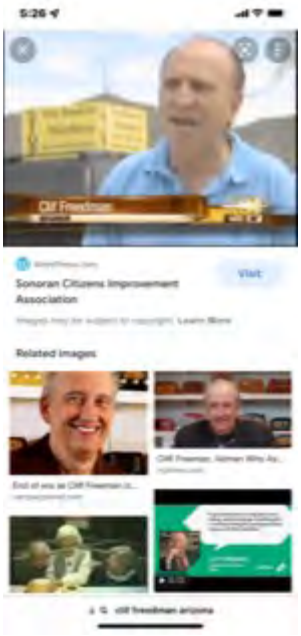
As a community, we have talked and we would like all of Clif Freedmans comments stricken from the record along with the anonymous comments as well. This is only fair, when these people i mentioned seem like planted positive remarks perpetrated by Toll Brothers.

I've included pictures that show both Clif Freedman's home address is the same as the address for his Sonoran Conservation Association along with a picture of a map that shows where he actually lives.

Thank you for your time and involvement in this matter.

Sincerely,
James Whatley
480-297-4537


1812 W Bramble
Berry Ln
Address


Clif Freedman
Sonoran Citizens Improvement Association
Visit
Related images



TruePeopleSearch

e.g John Smith

Clifton S Freedman

Age 74 (Jan 1947)

Full Background Report Available → Ad

Also Known As

Clif Freedman, Clifto Freedman, Cf F Reed, Clif Freeman, C Freed



Sent from my iPhone

David O Simmons

From: Gwen <gwenc247@gmail.com>
Sent: Tuesday, September 7, 2021 4:44 PM
To: David O Simmons
Subject: ApplicationsZ-48-21-1 & GPV-DV-2-21-1

David,
My name is Gwendolyn Currey.
I live at 25511 N. 16th Avenue, Phoenix, AZ 85085.
I am emailing you in reference to Application GPV-DV-2-21-1 and Application Z-48-21-1.

Please let it be known that we oppose both applications to build single family residences or multi-family residences in my neighborhood located at NEC of 19th Avenue and Happy Valley for 470 per acre.

I have lived in this Maricopa County Island neighborhood since 1998. And I do not want this new development here. Please do not approve them.

Thank you for your consideration.

Jeffrey & Gwendolyn Currey
25511 N. 16th Avenue
Phoenix, AZ 85085
602-390-3922

David O Simmons

From: Julie Burns <julieb@hawkeyecustomlandscaping.com>
Sent: Wednesday, October 20, 2021 4:07 PM
To: David O Simmons
Cc: Council District 1 PCC
Subject: Re: Z-48-21-1 & GPA-DV-2-21-1

Thank you, David,

We had a meeting with the developer last night by their choice. The first meeting they had never addressed our concerns or comments that were made on their website or at the first scheduled meeting. This meeting was just a feel good meeting for their attorney to state how irrational we are for wanting homes on their land! The high density residential apartments are not in character of our rural area. Single family homes are.

We are zoned R-43 meaning one house per acre. This 15 acre development and the others in the area, Case # Z2021051 17acres & Article 26 on City of Phoenix Formal meeting September 15th are not conforming to our rural area.

The meeting attendance included 8 families under my zoom login. All families live adjacent to the developments or within two blocks.
1. Tallent's
2. Butler's
3. Cocuzza's
4. Rusty lives on Parson's and 19th Ave 2nd house east 4. James Watley 5. Diane Habener 6. Wampler's 7. Murphy's 8. Rimbly's

The four houses the the developer calls remnants, are dream houses to the homeowners. But, the deal for them was ALL or NONE in the escrow.
This has bought their silence/voice to the development!
parcels:210-10-008B, 210-10-008D, 210-10-008F, & 210-10-008G

Norterra development to the west has single family homes 2 houses west of 19th Ave selling for 1.2 million! 19th Avenue is not a bad place to be living. Why can we not have 3-5 houses on one acre? With more dense houses per acre on the south side of the development? Years ago when we proposed a buffer for our community, it was stated the medical office zoning would be the buffer. Now the developers want more land to get rezoned!

Please don't change our neighborhood. It's one of a kind!!!

*For the record I dispute the traffic study. It's misleading and inaccurate. I feel the developer tied to pull a fast one on us. Traffic will disrupt and get re-routed throughout our neighborhood. When I-17 is closed or backed up, we see sooo much traffic and dust. We cannot safely take a left (south) onto 19th Ave as of today.

* Why does the developer want to keep the CO/MO zoning? Fishy! What's the true intent of our backyard/front yard area?

*Please consider homes 3-5/acre for this area and 19th Avenue at the very least. They will sell for high value.

*I-17 and Pinnacle Peak has rezoned 44 acres for apartments. This site is fitting for the requested development. Our neighborhood is not.

Thank you for your time and please don't recommend this development or the others in our county island.

Stay Safe,

Julie Burns,

Corporate Secretary Hawkeye Landscaping Inc. Office 623-582-1122 fax 623-434-1814 hawkeyecustomlandscaping.com Mailing Address: 1717 W Yearling
Rd Phoenix AZ 85085 Physical Address: 24401 N 15th Ave Phoenix AZ 85027

On 2021-10-20 15:33, David O Simmons wrote:
> Hi Julie,
>
> This case is located within the City Council District 1 boundary.
> https://www.phoenix.gov/district1 Ann O'Brien is the District 1
> Council Person.
>
> You may submit your letters of support/concern directly to me as I am
> the staff liaison to the Deer Valley Village Planning Committee
> https://www.phoenix.gov/villages/Deer-Valley I will save the
> correspondence to the case file to be included as part of the public
> record and attach it to the staff report as part of the public comment
> exhibit.
>
> Let me know if you have further questions.
>
> Respectfully,
>
> David Simmons, MA
> Paradise Valley & Deer Valley
> Village Planner *II
> 200 West Washington Street
> 3rd Floor
> Phoenix, AZ 85003
> 602-262-4072
> david.simmons@phoenix.gov
>
>
> -----Original Message-----
> From: Julie Burns <julieb@hawkeyecustomlandscaping.com>
> Sent: Wednesday, October 20, 2021 12:01 PM
> To: David O Simmons <david.simmons@phoenix.gov>
> Subject: Z-48-21-1

>
> Hello,
>
> We had another meeting with Toll Brothers last night. Who do we
> express our concerns to? I think we need both City of Phoenix,
> Maricopa County and Deer Valley staff. There are two maps out on the
> internet. Which District is ours? District 1 or District 2? Or, is it
> deferent by the city or county? And could you provide their names. Jim
> Waring, Kat Galleo, Thelda Williams ect.
>
>
>
> --
> Julie Burns,
>
> Corporate Secretary Hawkeye Landscaping Inc. Office 623-582-1122 fax
> 623-434-1814 hawkeyecustomlandscaping.com Mailing Address: 1717 W
> Yearling Rd Phoenix AZ 85085 Physical Address: 24401 N 15th Ave
> Phoenix AZ 85027

David O Simmons

From: Julie Burns <julieb@hawkeyecustomlandscaping.com>
Sent: Friday, September 24, 2021 2:06 PM
To: David O Simmons
Cc: Griemsmann, Noel
Subject: Z-48-21-1 & GPA-DV-2-21-1

Good Afternoon,

I wanted to express our concern as a neighborhood of the Happy Valley island located at 19th Ave and Happy Valley regarding the neighborhood meeting held last night. The comments of the neighbors were not placed on record. We also weren't addressed to express our ideas or concerns with the project of four story high density apartments.

Let it be clear, we are not thinking this project is in the General Plan for development and is not fitting the feel and character of the rural neighborhood.

Four or more neighbors are in escrow with the homeowners and the developer has silenced them.

When will the city and county meeting be live again. Many neighbors are not having their voice added to the development.

Sincerely,

--
Julie Burns,

Corporate Secretary Hawkeye Landscaping Inc. Office 623-582-1122 fax
623-434-1814 hawkeyecustomlandscaping.com Mailing Address: 1717 W Yearling Rd Phoenix AZ 85085 Physical Address: 24401 N 15th Ave Phoenix AZ 85027

David O Simmons

From: Julie Burns <julieb@hawkeyecustomlandscaping.com>
Sent: Tuesday, September 7, 2021 5:50 AM
To: David O Simmons
Subject: Letter for the informational meeting Sept 9th

Attach for the comments, please. Please add me to attend, however, my work schedule may not allow. I am a RN, BSN and emergencies come up.
GPA-DV-2-21-1
Z-48-21-1

eptember 6, 2021

Deer Valley Village Planning Committee
c/o David.simmons@phoenix.gov

RE: Z-48-21-1 (Companion Case GPA-DV-2-21-1)

To Whom It may Concern,
I do request this letter be read into the record of this hearing. I would also like to attend the virtual meeting, however, I may miss the meeting due to work schedule. But, I do want a say in the informational meeting.

Our county island is rural. Our dogs don't need to be walked because they have over an acre or two to run on. We walk our horses and donkeys on this county island! I get so many people and kids stopping just to see a horse! Their children look at them like they are zoo animals. This is sad! Please keep the feel of our rural life and limit the growth of this intrusive development into our backyard!

Our county island is a place we ride razors (street legal) to our neighbors for driveway/backyard get togethers.

Our county island is a place we have lived in for an average of over 20 years. This statistic used to be 40 years. Our children are buying land and building houses on this county island. Our neighbors are selling their larger homes to buy land in this area to build a smaller home.
They don't want to leave this county island.

Some of our county island neighbors are in escrow with the developer to buy their homes. This is just to silence them from the development. They were all paid over $1,000,000 for their home. Now, they are finding what can they buy for 1 million….? Nothing that is comparable to what they owned in the county island. So, they will downsize to a more glittered house that is more socially accepted…..

Not everyone in the county island can be silenced or bought. We love our rural character …. Can you love it too?

The massive development is NOT suited for this charming rural way of life. The original Deer Valley Meeting talked of medical offices. This would be the right buffer for our rural neighborhood. Not a four story high density building with residences of over 470 per acre!

We are zoned R-43. This high density development is not found within over a 15 mile radius to the north and over 20 mile radius to the south.
This type of high density deveolpment is ever further to the west and east.

Deer Valley Staff- I plead with you to not let this ruin our character and way of life for our families and animals.

Sincerely,
Julie Burns
1717 W Yearling Road & 1732 W Yearling Road
602-695-3903

--
Julie Burns,

Corporate Secretary Hawkeye Landscaping Inc. Office 623-582-1122 fax
623-434-1814 hawkeyecustomlandscaping.com Mailing Address: 1717 W Yearling Rd Phoenix AZ 85085 Physical Address: 24401 N 15th Ave Phoenix AZ 85027

David O Simmons

From: Lamb Chops <klgundling@gmail.com>
Sent: Tuesday, September 7, 2021 3:24 PM
To: David O Simmons
Subject: GPA-DV-2-21-1 / Request for Amendment to the General Plan Land Use Designation

Dear Mr. Simmons:

As a 9 year resident of the community of Fireside at Norterra, I am writing to voice my concern and opposition to the request to amend the size of the land use at the corner of 19th Avenue and Happy Valley Road.

There has been much development in this area (Happy Valley / W Jomax Rd / N 19th Ave.) in the 9 years I have lived in the area - both Commercial and Residential. It is most concerning to see a proposal that would substantially increase the residential units per acre to 15+ for MORE multi-family housing in addition to what has been approved and not yet completed. I fear even more grid-lock at the two intersections of N 19th Avenue with no proposals or current construction for improvements to accommodate the increase in traffic.

Residents in the area have felt the adverse impact of the growth. In the last 5 years we have worked together to have a much needed new Firehouse built in the area (in record time no less) to reduce the high response times as well as having a left turn arrow installed at W Happy Valley Rd and N 19th Ave because of the wait times to make a left turn there. These are things that seemed to be oversights when development was approved and they took time to put into place.

Please consider the negative impact to current residents of the area when you hear proposals to amend the land use. The area cannot absorb more residents without having terrible repercussions from it.

Thank you,
Karen Gundling

David O Simmons

From: Kim Cocuzza <kimcocuzzarealty@gmail.com>
Sent: Tuesday, September 7, 2021 3:45 PM
To: David O Simmons
Subject: Comment to meeting 19th Ave-Reference Z-48-21-1

Hello David,

I am a neighbor and concerned citizen. I live at 25813 N 17th Avenue, Phoenix. We do not want the current zoning changed to high density, I see the posted sign shows 470 homes per acre? We do not want our rural way of life and character of the neighborhood changed. We are completely opposed to the zone change. How can we express our opinion further?

Best,
Kim

Kim K. Cocuzza
Realtor
AARE
www.kimcocuzzarealty.com [kimcocuzzarealty.com]
LA/Ventura Phoenix/Prescott
805-501-0771- 480-616-1675

David O Simmons

From: Homeschool Mom <homeschoolchildren@gmail.com>
Sent: Thursday, September 23, 2021 6:19 PM
To: David O Simmons
Subject: GPA-DV-2-21-1 and Z-48-21-1

Hi David

I just want to let you know I oppose this project. I think we need to bring this back to a residential area, where you can bring the housing up to like 3 houses to an acre. We have major traffic problems on 19th Ave. Last weekend the freeway was shut down both directions for an accident on I-17 and Happy Valley on the freeway, so all that traffic backs up on 19th Ave which makes it almost impossible for us to get out of our neighborhood. Then on Tuesday night there was an accident at 19th Ave and Briles Rd, it was a 3 car accident with a head on and shut down 19th Ave both north and south. So we have major traffic problems.

Also we are concerned about the height of the apartments because across the road on the west side of 19th Ave is only 2 story buildings.

Thank you for reading about my concerns, Kimberley Wampler.
602-451-1327

David O Simmons

From: Homeschool Mom <homeschoolchildren@gmail.com>
Sent: Tuesday, September 7, 2021 4:31 PM
To: David O Simmons
Subject: Reference Z – 48–21–1 the second reference is GPA-DV-2–21-1

I want to be a part of the meeting, I don't think we need more apartments in our area. 19th Ave is not equipped for more traffic, and we have apartments going in everywhere around us already.

Thank you, Kimberley Wampler

David O Simmons

From: Marjorie McCaw <marjorie318mccaw@yahoo.com>
Sent: Tuesday, September 7, 2021 4:36 PM
To: David O Simmons
Subject: Reference Z – 48–21–1 the second reference is GPA-DV-2–21-1

Hello:
I am reaching out in opposition to the proposed Rezoning and potential apartment complex Referencing Z-48-21-1 and GPA-DA-2-21-1. I believe this will lower our housing value and bring more crime to the area. I do not see this is anything beneficial for our neighborhood and oppose any such rezoning or construction of any apartments at the referenced location.

Thank you for this consideration.
>>
>> Marjorie McCaw
>> 1647 W Briles Road
>> Phoenix AZ. 85085
>>
>>
>> Sent from my iPhone

David O Simmons

From: wmags@aol.com
Sent: Friday, October 22, 2021 2:09 PM
To: David O Simmons
Subject: ReferenceZ-48-21-1. 2nd ref is GPA-DV-2-21-1. Toll Brothers 14 acres and Case #Z2021051 17 acres rezone R-2 by Melissa @ Parsons /19th ave.

I am writing again to let you know I am completely against any apartment building in this area. My understanding from the gentleman at Toll Bros they chose this area because of its location and close to the Plant being built at I 17 and 303. It is his opinion the future employees would prefer apartments to houses. I agree some of them probably will, however I am of the opinion some of the future employees will prefer homes and yards and possibly animals. which is where our area comes in to play.

As you are aware our neighborhood has valid concerns re traffic and how we have been affected by the growth of the area as it is. It is very difficult to make a left hand turn out of the side streets onto 19th Ave. At rush hour times The Toll Bros representative was of the opinion that the Apartment Complex would in anyway affect this problem. However if all this apartment dwellers are going to work at the plant @ I17 and 303 they will soon discover going North on 19th Ave to Jomax will be the easiest way to get to I 17. Making it impossible in the mornings to make a left turn onto 19th Ave.

Our next concern are the detours necesary because of accidents or road closures of Happy Valley, 19th Ave or I 17. when this happens traffic detours through our neighborhood. According to Toll Bros most drivers will not take off on any of the County Roads so first of all these are private roads not county roads and yes the drivers will happily use the non maintained private roads if it will get them to where they are going, We have had this experience many times over the past few years. This is a rural area and we request it stay this way. Putting in homes on 1 acre lots is reasonable.

So at this time all I can do is pray for our neighborhood.

Oh, how I miss sitting outside in the evening and listening to the occasional horse neighing or cow mooing or even a coyote howling. Thank you for listening

Sincerely
Martha B Tallant
25814 N. 17the Ave
Phoenix, Az

David O Simmons

From: wmags@aol.com
Sent: Tuesday, September 7, 2021 3:59 PM
To: David O Simmons
Subject: Reference Z - 48 - 21 - 1. 2nd ref is GPA-DV-2-21-1

I am writing this memo to let you know as a long time resident in this neighborhood (since 1972) that I am completely against placing apartments of any kind. It is my opinion that this neighborhood has been infringed upon enough. This area should remain residential with 1 home per acre. Thank you for listening. Martha B Tallant 25814 N. 17th Ave. Phoenix, Az 85085

David O Simmons

From: tryitonjewels@aol.com
Sent: Monday, September 27, 2021 2:11 PM
To: tmoran@swlaw.com; David O Simmons; ngriemsmann@swlaw.com
Cc: rmccann@swlaw.com
Subject: Re: 19th Ave and Happy Valley

Good Afternoon,

I was scheduled to speak last Thursday the 23rd on Z-48-21-1 and GPA-DV-2-21-1. No one registered to speak was given the chance to. Toll Brothers did questions and answers from all supportive people. We are a small community and I know most all are not supportive of 3 and 4 story apartments in our area. This will change how we live in our community not be mention several other major issues.

Sincerely,

Melissa Crawford

-----Original Message-----
From: Moran, Taylor N. <tmoran@swlaw.com>
To: David O Simmons <david.simmons@phoenix.gov>; Griemsmann, Noel <ngriemsmann@swlaw.com>
Cc: tryitonjewels@aol.com <tryitonjewels@aol.com>; McCann, Ryan <rmccann@swlaw.com>
Sent: Wed, Sep 22, 2021 8:58 am
Subject: RE: 19th Ave and Happy Valley

Good morning,

Below please find the link to participate in the virtual neighborhood meeting.

https://swlaw.zoom.us/j/91544723195?pwd=V2RmZmJBMTRMUXJUQTByUUJoSnEwdz09 [swlaw.zoom.us]

We look forward to discussing the project with you.

Thank you,

Taylor Moran
Urban Planner
Snell & Wilmer L.L.P.
One Arizona Center
Phoenix, Arizona 85004-2202
602.382.6589
tmoran@swlaw.com www.swlaw.com [swlaw.com]

Snell & W

Denver, Las Vegas, Los Angeles, Los Cabos, Orange County, Phoenix, Reno, Salt Lake City, Tucson

From: David O Simmons <david.simmons@phoenix.gov>
Sent: Wednesday, September 22, 2021 8:43 AM
To: Griemsmann, Noel <ngriemsmann@swlaw.com>; Moran, Taylor N. <tmoran@swlaw.com>
Cc: tryitonjewels@aol.com
Subject: RE: 19th Ave and Happy Valley

[EXTERNAL] david.simmons@phoenix.gov

Taylor,

I think the citizen below is interested in speaking at your required neighborhood meeting. See email below.

Thanks,

David Simmons, MA
Paradise Valley & Deer Valley
Village Planner *II
200 West Washington Street
3rd Floor
Phoenix, AZ 85003
602-262-4072
david.simmons@phoenix.gov

PLANNING & DEVELOPMENT
PRESERVE SHAPE BUILD

From: tryitonjewels@aol.com <tryitonjewels@aol.com>
Sent: Wednesday, September 22, 2021 8:08 AM
To: David O Simmons <david.simmons@phoenix.gov>
Subject: Fwd: 19th Ave and Happy Valley

Please add me to speak on GPA-DV-2-21-1 and Z-48-21 Sept 23rd at 6pm

Thank you

Melissa Crawford
623 606 7248

-----Original Message-----
From: tryitonjewels <tryitonjewels@aol.com>
To: David.simmons@phoenix.gov
Sent: Wed, Sep 22, 2021 7:38 am
Subject: 19th Ave and Happy Valley

Good morning,

Can you please add me to speak at the meeting for Toll Brothers 19th Ave and Happy Valley Sept 23rd at 6pm. I am a neighbor.

Thank you

Melissa Crawford
623 606 7248

Sent from my Verizon, Samsung Galaxy smartphone

David O Simmons

From: tryitonjewels@aol.com
Sent: Tuesday, September 7, 2021 1:49 PM
To: David O Simmons
Subject: Application GPV-2-21-1 and App Z-48-21-1 N 19th Ave and Happy Valley

Dear Mr. Simmons,

Our family lives north of these parcels that are applying to be re-zoned. We are against this re-zoning. We have lived here 17 years and are concerned about the 3 to 4 story apartments that are attempting to change our community. The added traffic and increase of crime and disturbance of our community is unwelcome. We have young children who call this their home. We are asking for your consideration of our community and future. Please add me, Melissa Crawford to the virtual meeting on Sept 9th at 6:30

Thank you

Melissa Crawford
623 606 7248
1736 W Parsons Rd
Phoenix, AZ 82085

David O Simmons

From: Nicole Hudson <nicolebethhudson@gmail.com>
Sent: Tuesday, September 7, 2021 8:09 PM
To: David O Simmons
Subject: Z-48-21-1 and GPA-DV-2-21-1

Hello David,

I'm emailing you regarding the proposal for 470 residents per acre in the 13.8 acres by Circle K Deer Valley. Z-48-21-1 and GPA-DV-2-21-1.
I own at 1650 W Yearling RD in the county island.
I am shocked at this proposal. The county island is a rural community that is already overwhelmed with an unsafe amount of traffic on 19th ave with the addition of Union Park. The infrastructure cannot handle 470 residents additional per acre in this area. Absolutely not.

We bought here to be in a rural community. The traffic patterns have significantly changed since the addition of union park and we are already at capacity of traffic on 19th Ave on any given day.

I'm emailing you to let you know the residents of the county island DO NOT want this development to be approved.

These types of developments do nothing for the community or for property values. Yet most importantly the infrastructure cannot handle this traffic and will not be safe.

We love biking and walking in our area to the Desert Vista Trailhead and if this proposal is approved those days are over. It's already borderline safe during rush hour mornings and afternoons. This mass housing development will ruin the nature of our entire community.

Thank you for your time. Please take our concerns to heart as we love our little piece of the desert here and don't want it violated by developers.

Respectfully,

Nicole Hudson
Professional Wake Surfer
403-466-6618

David O Simmons

From: Laurel Brodie <laurel@clearskies.com>
Sent: Tuesday, September 7, 2021 7:23 AM
To: David O Simmons
Subject: Z-48-21-1 (Companion Case GPA-DV-2-21-1) September 9 meeting

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September 6, 2021

Deer Valley Village Planning Committee
c/o David.simmons@phoenix.gov

RE: Z-48-21-1 (Companion Case GPA-DV-2-21-1)

To Whom It may Concern,
I respectfully request that this letter be read into the record of this hearing as I am unable, due to work schedules, to speak at this hearing.

We are so very tired of Investors buying property with existing unopposed zoning knowing that they can buy the Zoning they want. It is truly incomprehensible to us that you would even consider taking land within this area and change the residential density to such an astronomical degree.

We have lived in the home we built since 1988. When we built the County requirements for this "island" were a minimum of 2.5 acres to build a home. When that changed to 1.25 we were saddened, but knew we at least maintained the rural integrity of the area. There are many other long term residents, as well as new, and we all chose this area for exactly what it is and then invested in that dream. Our monies were used to build homes and lives for our families. We are all vested in the very Nature of this "island". This proposed Zoning change for the purpose of this "Developer/Investor" would destroy all that we've all worked so hard to maintain.

Once again, the Property Owners and residents of the Triangular Maricopa County Island bordered by Happy Valley to the South, the CAP and Jomax to the North & East, and 19th Avenue to the West are being strong armed and railroaded. Many/Most of us are long term property and home owners, and became that with the expectations and assurances provided, over the MANY MANY years, by the Deer Valley Village Planning Committee, that we could be comfortable in the fact that the vision for our properties was in line with the homes and structures that we were investing our lives and families in. We held faith in that reassurance and saw that could be maintained, with the examples of areas already out there similar to ours, even if eventually annexed into the City. Sunburst Farms area, Western Meadows area, Hidden Manor and many more. One of the factors in that faith was the diversity that the Cities in the Metropolitan areas of the Valley have maintained for Decades, an enormous variety of housing and spaces working together to provide continuity for all.

Most of these areas have in common the ability to transition thoughtfully from one type to the next. That certainly happened here already. The USAA development wasn't the most welcome development to most of

us with a minimum 1.25 acre parcel to build our homes, but it was far enough away from our little triangular patch to allow us breathing room. Especially with the barriers USAA provided their development with along 19th Avenue. Now you are proposing to allow 40 times or more that density into a small 13+ acre site directly connecting to and looking right into our backyards. To those future residents I'm sure this will look like an oasis as there is nothing to stop them from utilizing our private roads for dog walking, jogging, kids dirtbiking, etc etc etc……

Please for once, stick to your guns and do not modify what has been assured OVER and OVER throughout the years to us, people that invested their lives to build life long generational homes for their families. There are MULTIPLE parcels of land in this area to build high density housing as is witnessed heavily within a 2 mile radius of our County Island. Allow us to maintain that character that we have spent years and lifetimes building.

If you go thru with this approval, shame on you. But I will also state (as I have very little faith in the way the system works $$$) If you allow any development at all, at least at a minimum require that there are NO entry points directly into our neighborhood and NO heights that could intrude upon or affect our monetary and lifetime investments which we have all worked so very hard to maintain. (IE: max one story structures)

And BTW we are also extremely disappointed that living on 17Th Ave just North of Parsons never generated a written Notice from anyone about this proposed project, so I feel its quite likely that many in our area are unaware of this proposed change in land use. We only quite recently found out ourselves. Working families do not have time to keep a constant Vigil on Vultures so please expand your notifications to a larger radius.

I will close this PLEA with one more reminder. Part of what makes Phoenix and the "Valley" a very unique and desirable "Big City" to live in are the diverse types of lifestyles scattered throughout the entire City for people to choose from. County Islands can and do add a great deal to this choice and diversity, and to those of us that have embraced this lifestyle, we should be protected in some way. Our area is small and with constraints due to the CAP, Happy Valley Rd. & 19th Ave. We all knew there was no stopping some commercial development on Happy Valley, but with the abundance of properties out there outside of our small triangular rural R-43 area, why not just allow us to be what we are without having to fight this fight over and over again. If people buy R-43 land, that's how it should remain, even if the City annexes. Investors take chances on being able to manipulate and change what they buy, that does not obligate the City to give in for every deep pocket applicant that comes along, especially when they would be destroying what has been successfully embraced by many lifelong residents.

In conclusion, Please at the minimum, at least maintain the current zoning as it NOW reads for ALL of the parcels involved in this land grab.

Closing this still with Hope.

Best Regards

Richard & Laurel Brodie
25657 N. 17th Avenue
Phoenix, AZ 85085

David O Simmons

From: Robert McKee <robertcmckee@gmail.com>
Sent: Tuesday, September 7, 2021 10:00 PM
To: David O Simmons
Subject: #Z-48-21-1, GPA/DV- 2-21-1

Mr. Simmon,
I would like to register to speak for the meeting referenced above. Please send me a link when appropriate.

I oppose changing the 13.48 acre plot from 3-1/2 - 5 dwellings + per acre.
I would like the residential portion to remain 3-1/2 - 5 dwellings per acre.
I also oppose changing any RU43 zoning, to PUD.

I would like the plots developed in alignment with the original general plan for these proper

Thank you,
Robert McKee

David O Simmons

From: ssharyasz@gmail.com
Sent: Tuesday, September 7, 2021 2:05 PM
To: David O Simmons
Subject: Proposed Toll Brothers Apartments

Good afternoon David,
My name is Sandy and I live near the area where Toll Brothers is seeking authority to build 470 apartments in a residential area. I am strongly opposed — asking the City to deny Toll Brothers request.

While I do not have the exact number of new housing units off 19th Ave and Happy Valley, I can tell you I have seen tremendous growth in less than 3 years in this particular area. I believe there are 1400 homes planned for in Union Park and several hundred apartments (with more to be built). There is also a new elementary school within the Union Park community. In addition, the Elux housing development on 19th and Happy Valley recently opened with several hundred units.

As you are aware, all along the 19th Ave corridor hundreds (I would think closer to a thousand) of new housing units have either opened or are being built. In addition near this area (on Pinnacle Peak) there is an about to open Amazon distribution center with 750 trucks!

The City is now considering a 470 apartment complex in this already condensed area. 19th Ave, nor Happy Valley, nor Pinnacle Peak (as an alternate) can handle the amount of traffic these new developments will bring. Additionally you have small and large businesses sprinkled amongst all of the new units.

I realize apartments are needed for the growing population of Phoenix. I'm confident there is land available for housing developments in less congested and high growth areas. I implore you to deny Toll Brothers request. This area is already too congested and already approved housing units and businesses (like Amazon) are not even open yet and contributing to the congestion. For the safety of children attending the elementary school in Union Park and for the children at Norterra Elementary off Jomax and 19th.

Please work with us and make safety a priority for those of us who live near this area, have to drive our children to school in this area everyday, and already face severe traffic congestion.

I thank you in advance for listening to my concerns.

Sincerely
Sandy

Sent from my iPhone

David O Simmons

From: Shantel hitchcock <shantel.harris12@icloud.com>
Sent: Tuesday, September 7, 2021 5:57 PM
To: David O Simmons
Subject: I am a homeowner in this area, and I do not wish for these said multi family homes to be built here at 19 ave and happy valley! We are becoming a fast over populated area! We need not for this to happen!!...

Sent from my iPhone

David O Simmons

From: Stephen Murphy <sbmurphy6570@mac.com>
Sent: Tuesday, September 7, 2021 3:24 PM
To: David O Simmons
Subject: Reference Z – 48–21–1 the second reference is GPA-DV-2–21-1

I am voicing opposition to the proposed Rezoning and potential apartment complex Referencing Z-48-21-1 and GPA-DA-2-21-1. I believe this will lower our housing value and bring more crime to the area. I do not see this is anything beneficial for our neighborhood and oppose any such rezoning or construction of any apartments at the referenced location.

Stephen Baker Murphy
1647 W Briles Road
Phoenix AZ. 85085

Sent from my iPhone

David O Simmons

From: vickie hunt <vrhunt@gmail.com>
Sent: Tuesday, September 7, 2021 7:11 AM
To: David O Simmons
Subject: Applications GPV-DV-2-21-1 and #Z-48-21-1

Mr. Simmons,
I am writing with my request to be added to the attendance list for this meeting concerning applications GPV-DV-2-21-1 and #Z-48-21-1.
I along with my family and neighbors are extremely concerned with the amount of apartments being built on county land around us. We don't have the proper roads and resources for this growth. Our family, as well as our neighbors all around us have been here for decades and have watched the city developers pick off land. Homes would be one thing, but putting apartments and bungalows on every inch of vacant land is not only taking away the scenic beauty of the desert but it's putting all of us in a bad situation. Again, I'd like to be added to the meeting attendance so I can listen in.

Thank You,
Vickie Hunt
>
>

Sent from my iPhone

Deer Valley
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-48-21-1 (INFO ONLY)

Date of VPC Meeting	September 9, 2021
Request From	C-O/M-O and RU-43 (Maricopa County)
Request To	PUD
Location	Approximately 825 feet south of the southwest corner of 23rd Avenue and Pinnacle Peak Road
Recommendation	Approval, per the staff recommendation

VPC DISCUSSION:

Cases GPA-DV-2-21-1 and Z-48-21-1 were heard concurrently.

1 speaker card was submitted in favor, wishing to speak
7 speaker cards were submitted in opposition, wishing to speak

Mr. Nick Wood, Snell & Wilmer, representing the applicant, provided a detailed overview of both the General Plan Amendment (GPA) request and the Rezoning request. He started by highlighting the quality of the Toll Brothers brand and quality of their products. He continued by highlighting the reasoning behind Toll Brothers decision to move forward with the subject site. He stated that the area is close to residential amenities, employment hubs and transportation corridors. He also shared that this area is growing rapidly and there is a need for alternative forms of housing in the area. Mr. Wood covered the request for the GPA and provided reasoning behind the need for the map change to Residential 15+ dwelling units per acre. He went on to address community concerns that he was aware of to include a stepback approach to building elevations along the northern and eastern property boundaries and enhanced landscaping to act as a buffer to nearby large lot residential. He also highlighted an open fencing concept that would make the site look more aesthetically pleasing to surrounding property owners, giving them the benefit of the enhanced landscaping proposed. Mr. Wood went over the site plan in detail highlighting that this proposal will be a gated, luxury multifamily development with resort like interior courtyard amenities. He highlighted that any noise generated from residents of the community would be contained within the interior courtyards of the development, completely surrounded by living units. Mr. Wood went o er the development standards table. Further, Mr. Wood showcased the conceptual rendering of the elevations, site plan and landscape plans depicting a high quality design that Toll Brothers is known for.

Mr. Ozzie Virgil left the meeting at approximately 7:15, bringing quorum to 8.

Public Comment:

Ms. Melissa Crawford, residing directly north of the subject site, shared concerns about increased traffic, increase in population density, crime, and the character of the rural area changing.

Ms. Michelle Gardner, VPC member, asked Ms. Crawford what her greatest concerns are.

Ms. Crawford shared that her greatest concerns are the proposed height and traffic.

Ms. Diane Habener, residing east of the subject site, has concerns with the proposed height and recommended a maximum of two-stories.

Chairman Joseph Grossman asked Ms. Habener if she resides within the County Island.

Ms. Habener shared that she does reside within the County Island boundaries.

Ms. Julie Burns, residing north of the subject site, shared concerns about loosing a perceived buffer zone between Norterra and the County Island, which is currently zoned commercial. She shared that she and her neighbors were expecting a single story commercial office use being built on this site. She shared concerns related to proposed height, increase in traffic, and stated that this PUD request is not wanted.

Mr. Clif Freedman, residing at 1716 Buckhorn Trail, shared that he is supportive of the request. He shared that the concerns about proposed height are irrelevant due to the existing entitlement son the site allowing up to four-stories. He shared that he supports the project, supports Toll Brothers and highlighted that Toll Brothers builds high end projects. Further, he shared that tenants of a high end development such as this would not result in an increase in crime.

Mr. James Whatley shared that he is opposed to the request. He has concerns about the character of the area changing and increase in population. He asked that the zoning stay as it currently is.

Applicants Response:

Mr. Nick Wood spoke to the concerns and shared that commercial zoning traffic counts are much higher than residential uses. He also highlighted that the majority of units are I bedroom, which may result in 2-3 people maximum residing in a single unit. He introduced Ms. Dawn Cartier with Civ Tech, a traffic engineering company, to speak on traffic volumes.

Ms. Dawn Cartier, CivTech Traffic Engineers, went over the traffic report and highlighted the anticipated number of trips per day that would be generated from such a use, which is much lower than a commercial center would generate.

Mr. Wood offered a rebuttal to the height concerns and highlighted the stepbacks proposed and the enhanced landscaping that acts as an aesthetically pleasing buffer between exiting large lot residential uses to the north and to the east.

Chairman Joseph Grossman asked Mr. Wood if existing single-family homes have already sold to Toll Brothers. He also wanted to confirm is self-storage was directly adjacent.

Mr. Wood confirmed that there are property owners that have already sold to the developer and that there is a self-storage use adjacent to the subject site.

Deer Valley
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-48-21-1

Date of VPC Meeting	December 9, 2021
Request From	C-O/M-O (5.29 acres) and County RU-43 (Pending S-1) (8.19 acres)
Request To	PUD (13.48 acres)
Location	Approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road
Recommendation	Approval, per the staff recommendation
Vote	10-0-1, motion to approve passed, with Committee Members Grossman, DiLeo, Davenport, Fergis, Gardner, Greenberg, Kenney, Levy, Lewis, Shipman and Virgil in favor. Mr. Kimball abstained from the vote.

VPC DISCUSSION:

Cases GPA-DV-2-21-1 and Z-48-21-1 were heard concurrently.

The Planning Commission will consider this request on January 6, 2022.

Mr. David Simmons, staff, provided an overview of the request to include background of how the area developed overtime. He went over the GPA and Rezoning requests concurrently as they are companion cases and reminded the Committee that the GPA case will require a motion prior to the rezoning request. Mr. Simmons shared how the GPA request is consistent with several core values of the General Plan. He explained that the rezoning request supports several policy plans to include the Maricopa Association of Governments (MAG) Deer Valley and North Black Canyon Employment Centers, Comprehensive Bicycle Master plan, Tree and Shade Master Plan, Complete Streets Guiding Principles, Zero Waste Phoenix as well as helps to meet the goals of The Housing Phoenix Plan. Mr. Simmons also shared the reasoning behind several of the proposed stipulations for the case. He also shared that an annexation request for the eastern portion of the site is running concurrently with the GPA and rezoning request.

Mr. Nick Wood, representing the applicant, provided a greatly detailed presentation to include how this proposal is consistent with development trends int eh surrounding area, the General Plan Land Use Map designation change, vehicular and pedestrian circulation plans for the site, enhanced landscaping standards proposed, and an explanation of the approved traffic study showing how the proposed use will not adversely affect traffic flows int the area. Further,

Mr. Wood elaborated on the high quality architectural embellishment proposed for the façade, the view fencing, and the proximity to residential as well as the building height in relation to residential and the more intense Norterra to the west.

VPC Discussion:

Mr. Keith Greenberg asked staff is the annexation request just included this site or more land area surrounding the site.

Mr. Simmons, staff, hared that the annexation request is for the four residential lots that make up the easter portion of the subject site. No other land area surrounding the site is included int eh annexation request.

Mr. Greenberg inquired as to where ingress and egress was gong to occur on the site.

Mr. Wood shared that the site plan configuration was updated due to Street comments that Desert Hollow Drive was going to be improved, resulting in an ingress/egress point there as well as an ingress/egress point off of 19th Avenue. Further, he shared that queuing could occur on Desert Hollow Drive during peak hours and a median will be installed along 19th Avenue, which will act as a traffic calming feature.

Mr. Greenberg asked how many living units are currently proposed.

Mr. Wood shared that a maximum of 470 units are proposed.

Vicechair Trilese DiLeo shared that there are many other apartment complexes int eh area and their traffic flows do not have an adverse effect on local traffic patterns. She shared that a commercial use on this site would generate much higher traffic volumes.

Mr. Mark Lewis asked if 19th Avenue was going to improved.

Mr. Simmons shared that 19th Avenue will be improved in accordance with the Cross section A requirements of the Street Classification map.

Ms. Dawn Cartier, with CivTech, explained the traffic study and went into detail about traffic patters resulting from specific uses.

Mr. Ozzie Virgil asked what the rental rates were and what is the current proposed density.

Mr. Wood shared that the density proposed is 34 dwelling units per acre, which is much lower than a typical multifamily request he represents. Further, he shared the rental rates will be $1.76 a square foot which translates to $1200.00 for a one bedroom.

Chairman Joseph Grossman asked what the original proposed number of units were prior to making modifications to the site plan as a result of the improvement requirements for Desert Hollow Lane.

Mr. Wood shared that the original proposed number of units was 500.

Mr. Stuart Kimball applauded the applicant on such a detailed presentation and their public outreach efforts. He also stated that with the required 19th Avenue improvement, traffic concerns should be eliminated as lanes will be added.

Public Comment:

Ms. Laura Bates, residing at 1744 W. Parsons Rd, shared concerns about increased traffic volumes and requested a secondar traffic study be conducted.

Mr. Brian Bates, residing at 1744 W Parsons Rd, shared that he too has traffic concerns as there are equestrians in the areas well as livestock. He also shared concerns in regard to loss of property values as a result of this development and drainage concerns.

Mr. Nick Wood explained that grading and drainage goes through a rigorous plan review proves to include on-site retention. He shared that, if needed, large retention compartments will be installed underground o eh subject site.

Ms. Melissa Crawford, residing at 1736 W. Parsons Rd, shared concerns about equestrians in the area, the character of the area changing and devaluations of properties.

Mr. Ozzie Virgil asked how many people showed up for the public meetings.

Ms. Crawford stated she believes the numbers were skewed due to COVID and the meetings taking place over the holiday season.

Ms. Julie Burns, residing at 1717 W. Yearling Rd, shared concerns about livestock in the area needing large dirt lot, which will create dust and other nuisances for future residents. Further, she shared concerns about the character of the area changing.

Ms. Marjorie McCaw, residing at 1647 W. Riles, shared concerns about the character of the area changing.

Mr. Stephen Baker-Murphy, residing at 1647 W. Riles, shared concerns about buffers, transitions between uses in the area, character of area changing and devaluation of existing large lot residential properties due to proposed development.

Chairman joseph Grossman asked Mr. Baker-Murphy how long he has lived in his home.

Mr. Baker-Murphy shared that he has resided in his home for four years.

Ms. Kim Cocuzza, residing on 17th Ave, shared concerns about the character of the area changing and increased traffic.

Ms. Alison McKee, residing at 1219 W. Parsons Rd, shared concerns about the character of the area changing, livestock in the area and traffic volume increasing.

Mr. Cliff Freedman, residing at 1716 W. Buckhorn Trail, spoke in support of the proposal. He highlighted that more housing options are needed in this area and the City of Phoenix is growing rapidly and housing demand cannot keep up.

Applicants Response:

Mr. Nick Wood stated that housing needs are a result of supply and demand. He shared that the City of Phoenix is currently the fastest growing city in the nation attracting over 90k new residents per year. He asked for a recommendation for approval.

VPC Discussion:

Mr. Ozzie Virgil asked is this site lies within the boundaries of the Deer Valley Airport Overlay (DVAO).

Mr. David Simmons, staff, shared that it does not lie within the DVAO.

Mr. Mark Lewis asked staff to share details about the proposed bungalow project taking place just to the north of the subject site.

Mr. Simmons shared that the bungalow project is located within the boundaries of Maricopa County. Therefore, staff does not have purview over that project and cannot speak to it.

Vicechair Trilese DiLeo stated that she is sympathetic and understanding of the publics concerns. However, growth is inevitable for this area considering the incredible investments going in all around. She also stated that traffic is not going to be of grave concern considering the use. Further, she stated that more housing options are critically needed in this area.

MOTION:

Vicechair Trilese DiLeo motioned to approve Rezoning Case No. Z-48-21-1, per the staff recommendation

Mr. Mark Lewis seconded the motion.

VOTE: 10-0-1, motion to approve passed, with Committee Members Grossman, DiLeo, Davenport, Fergis, Gardner, Greenberg, Kenney, Levy, Lewis, Shipman and Virgil in favor. Mr. Kimball abstained from the vote.

Attachment E

REPORT OF PLANNING COMMISSION ACTION
January 6, 2022

ITEM NO: 7	
	DISTRICT NO.: 1
SUBJECT:	
Application #:	Z-48-21-1 (Lumara PUD)
Location:	Approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road
From:	C-O/M-O and County RU-43 (Pending S-1)
To:	PUD
Acreage:	13.48
Proposal:	Planned Unit Development to allow multifamily residential.
Applicant:	Toll Brothers
Owner:	Happy Valley 19, LLC
Representative:	Nick Wood, Esq., Snell & Wilmer, LLP

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:
Deer Valley 9/9/2021 Information only.
Deer Valley 12/9/2021 Approval, per the staff recommendation. Vote: 10-0 (1 abstained).

Planning Commission Recommendation: Approval, per the Deer Valley Village Planning Committee recommendation with an additional and modified stipulation.

Motion Discussion: N/A

Motion details: Commissioner Johnson made a MOTION to approve Z-48-21-1, per the Deer Valley Village Planning Committee recommendation, with the additional stipulation as read into the record, and a modification to Stipulation No. 3 per the applicants request.

Maker: Johnson
Second: Gorraiz
Vote: 6-2 (Bushing and Perez)
Absent: Shank
Opposition Present: Yes

Findings:

1. The site is located at the intersection of two arterial streets and in close proximity to an employment center west of 19th Avenue. The proposed standards in the PUD provide a transition from more intense development on the west side of 19th Avenue to undeveloped property to the east of the subject site.

2. The proposed development will provide diverse housing options in the area within close proximity to designated employment centers.

3. The Development Narrative contains standards that exceed ordinance requirements

including enhanced setbacks along three sides of the site as well as enhanced landscape standards.

Stipulations:

1. An updated Development Narrative for the Lumara PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped November 22, 2021, as modified by the following stipulations:

   a. Front Cover: Remove "HEARING DRAFT" and revise submittal date information on bottom of the cover page as follows:
   1st Submittal: July 7, 2021
   2nd Submittal: September 10, 2021
   3rd Submittal: October 07, 2021
   Hearing Draft: November 22, 2021
   City Council adopted: TBD

   b. Page 9; The streetscape adjacent to 19th Avenue requires the A Street Section. An A section requires detached sidewalks where a minimum 5-foot-wide sidewalk is required, and a minimum 13-foot-wide landscape area is required.

   c. Page 8; add Minimum, 15 percent open space to development standards table.

2. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

3. The developer shall construct and landscape a 24-foot-wide median in 19th Avenue~~,~~. ~~for the full limits of the project~~ **THE MEDIAN SHALL BE DESIGNED TO PROVIDE FOR FULL MOVEMENT (NORTH/SOUTH/EAST/WEST) AT 19TH AVENUE AND DESERT HOLLOW DRIVE**, as approved by the Planning and Development and Street Transportation Departments.

4. Full access-control to the site shall only be permitted at 19th Avenue and the Desert Hollow Drive alignment, as approved by the Planning and Development Department.

5. The applicant shall submit a Traffic Impact Study to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City.

6. The property owner shall record documents that disclose the existence, and operational characteristics of the Deer Valley Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

7. The developer shall provide documentation to the City of Phoenix prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a "No Hazard Determination" from the FAA. If temporary equipment used during construction exceeds the height of the permanent structure a

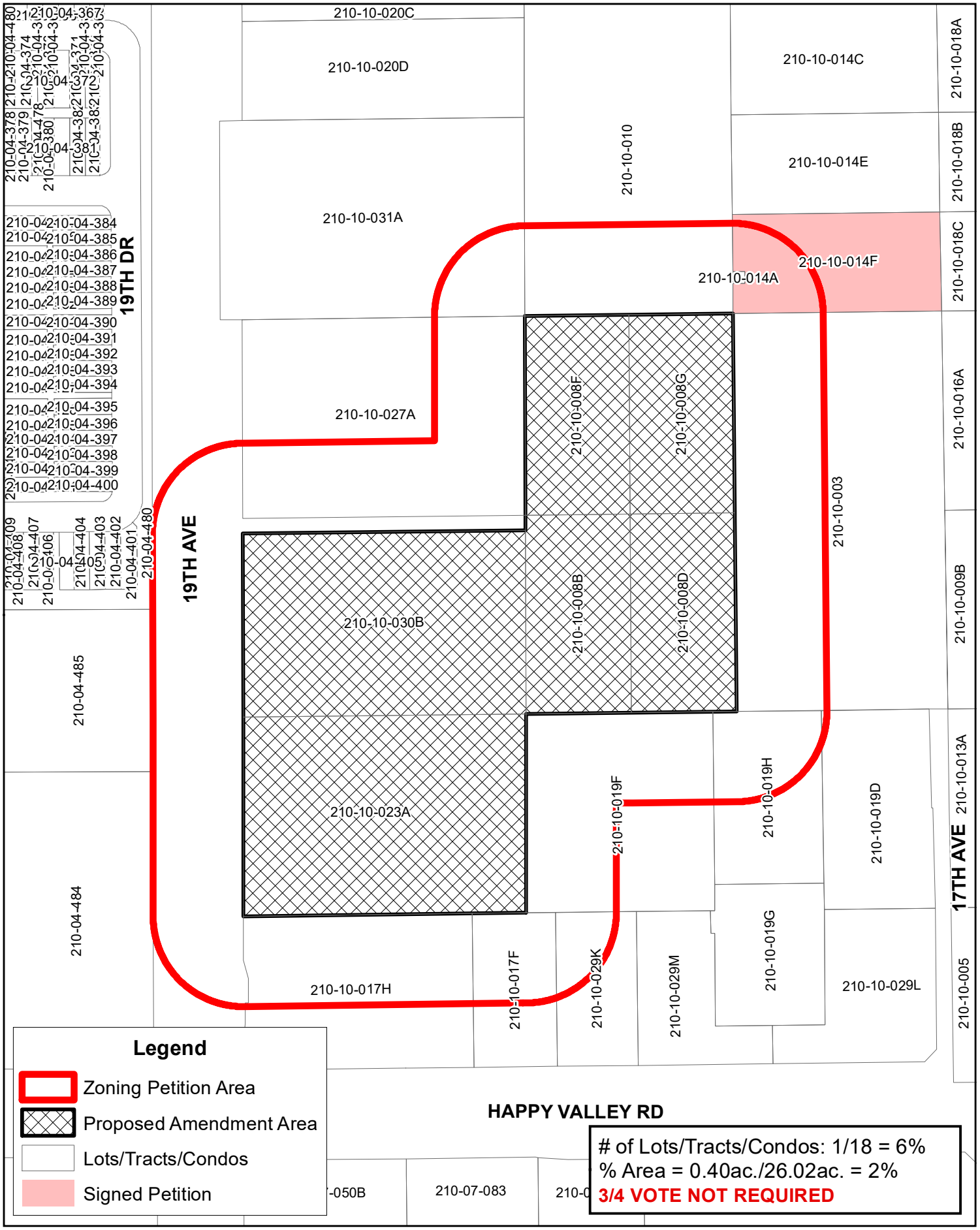
separate Form 7460-1 shall be submitted to the FAA and a “No Hazard Determination” obtained prior to the construction start date.

8. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

9 **PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS FORM. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.**

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 495-5622, TTY use 7-1-1.

Attachment F



Petition Verification Map
for Z-48-21-1

Map prepared by City of Phoenix, Planning and Development Services Dept. 1/14/2022

CITY OF PHOENIX
PLANNING AND DEVELOPMENT DEPARTMENT

FORM TO REQUEST PC to CC **I HEREBY REQUEST THAT THE CC HOLD A PUBLIC HEARING ON:**					
APPLICATION NO/ LOCATION	**GPA-DV-2-21-1 & Z-48-21-1 (Lumara PUD)** Approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road	***(SIGNATURE ON ORIGINAL IN FILE)***			
		opposition	**x**	**applicant**	
APPEALED FROM:	PC January 6, 2022	Approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road, Phoenix, AZ 85085			
	PC DATE	*STREET/ADDRESS/CITY/STATE/ZIP*			
TO PC/CC HEARING	CC February 2, 2022	Wayne Hudgeons 623-340-0579 Cwcwayne99@gmail.com			
	CC DATE	*NAME / PHONE / EMAIL*			
REASON FOR REQUEST: **Three-Quarter Appeal** **Asking to appeal decision to rezoning GPA-DV-2-21-1 and 2-48-21-1**					
RECEIVED BY:	Greg Harmon	**RECEIVED ON:**	1/13/2022		

Alan Stephenson
Joshua Bednarek
Tricia Gomes
Racelle Escolar
Stephanie Vasquez
Diana Hernandez
David Urbinato
Vikki Cipolla-Murillo

Greg Harmon
Samantha Keating
Paul M. Li
Village Planner
GIS
Applicant

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

CITY OF PHOENIX

JAN 13 2022

Planning & Development Department

The **PLANNING COMMISSION** agenda for **January 6, 2022** is attached.

The **CITY COUNCIL** may approve the recommendation of the Planning Commission without further hearing **unless**:

1. A **REQUEST FOR A HEARING** by the **CITY COUNCIL** is filed within seven (7) days.

   There is a $630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. **January 13, 2022**.

   Any member of the public may, within seven (7) days after the Planning Commission's action, request a hearing by the City Council on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m. **January 13, 2022**.

2. A **WRITTEN PROTEST** is filed, no later than seven (7) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the property by area and number of lots, tracts, and condominium units within the zoning petition area have signed the petition. The zoning petition area includes both the area of the proposed amendment, and the area within 150 feet of the proposed amendment, including all rights-of-way. For condominium, townhouse and other types of ownership with common lands, authorized property owner signatures are required. Please see Planning and Development Department Staff for additional information prior to gathering signatures.

   To require a three-fourths vote of the City Council for approval, a written protest for applications on this agenda must be filed with the Planning and Development Department by 5:00 p.m. **January 13, 2022**

   The Planning and Development Department will verify ownership by protestors to determine whether or not a three-fourths vote will be required.

3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an $830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. **January 20, 2022**.

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

Z-48-21
APPLICATION NO.

Approx 270Ft north of the northeast Corner of 19th Ave and Happy Valley Rd.
LOCATION OF APPLICATION SITE

1-6-2022
DATE APPEALED FROM

☒ OPPOSITION
☐ APPLICANT

Greg Harmon
PLANNER (PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

Wayne Hudgeons
PRINTED NAME OF PERSON APPEALING

SIGNATURE

25406 N 17th Ave
STREET ADDRESS

1/13/22
DATE OF SIGNATURE

Phoenix AZ 85085
CITY, STATE & ZIP CODE

623 340-0579
TELEPHONE NO.

CWCWAYNE99@gmail.com
EMAIL ADDRESS

REASON FOR REQUEST

Asking to appeal decision to re-zoning GPA-DV-2-21-1 and Z-48-21-1

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

January 12, 2022

City of Phoenix
Planning and Development Department
Planning Division
racelle.escolar@phoenix.gov
(602) 534-2864

RE: City of Phoenix - GPA-DV-2-21-1 and Z-48-21-1 – Appeal Submittal

To All It May Concern,

My name is Wayne Hudgeons, I own and reside at 25406 N 17th Ave, which directly borders the proposed development by Toll Brothers.

I am appealing the decision made by the Planning Commission on January 6th, AND I am officially appealing your appeal process. On my behalf, I appeal this approved decision as I am directly affected by this development. This is a violation of my privacy. The high density 3 and 4 story high apartments are not a transition from R43. The see-through fencing and dumpster placed beside our residence is also not tolerable. The **core values of the City of Phoenix** is to promote and encourage COMPATIBLE development and redevelopment. That statement is not being displayed here. Rentals are not compatible with the character of our neighborhood. I feel that under the circumstances the voices that should carry weight are ALL of the residents and parcel property owners that currently comply with the R-43 zoning that reside within this land-locked County Island.

The impact of this change in zoning and density **directly** impacts all of our lives, livestock and our well-being, as well as all of our property values. Therefore, the opposition from **homeowners** within our entire County Island area should be given the most weight. Due to the size of the parcels within our County Island, a 150' radius is an unreasonable requirement. We are **united** in our opposition and ask you to please take the time to consider our request carefully.

Please accept and carefully weigh the attached signed petitions **AGAINST** this development. We are of one voice and have rallied as best as possible in these times to present a united front. There have been statements by the Developers and some Planning Staff that would imply the residents of our area do not really care as we haven't been vocal enough or "organized" in our opposition to these Developments. Please keep in mind that especially over the last 2 years life has become very busy and stressful for many people. None of us are being paid to sit in these meetings over and over again. It is difficult to even keep up with information as written letters are not sent to each of us as homeowners; signs are installed with no posting start dates; then dates change AND we are having to OPPOSE (2) developments side by side that both want the same outcome AT THE SAME TIME!! We are trying our best to show you with the resources and time that we have that we oppose this development. Many of us don't or can't do "Virtual" meetings. Also, based upon all of the technical difficulties in these meeting we are not able to speak nor able to make final comments or clarifications at the end like attorney Nick Wood. This makes the effort extremely frustrating and we do not feel we are getting a fair hearing, which is another reason we should be granted an appeal.

These signed petitions (see attached) include owners and/or residents within this County Island. Due to the size of most parcels within our County Island and 150' radius is an unreasonable requirement. We are **united** in our opposition and ask you to please take the time to consider our request to appeal and decision of the commission on January 6th.

Best Regards,

Wayne Hudgeons

623-340-0579

January 12, 2022

City of Phoenix

Planning and Development Department

Planning Division

Racelle.escolar@phoenix.gov

Re: City of Phoenix GPA-DV-2-21-1 and Z-48-21-1 Appeal

My name is Melissa Crawford and I own two properties within the county island of 19th Ave and Happy Valley. 1736 W Parsons and 1610 W Parsons Rd, Phoenix, AZ. I am writing to appeal the decision made by the Planning Commission on January 6th, 2022, our county island encompasses just north of Happy Valley to Jomax and east from the canal to 19th Ave.

We as a community oppose the Toll Brothers project, we are zoned R43 of 1.25 acres per 1 house and the Toll Brothers project is proposing the extremely opposite of 470 units 3 and 4 stories high. This extreme proposal is not within the character of our life style and the wellbeing of our livestock.

In reviewing the "letters of support" from Toll Brothers there appears to be very misleading information. There are roughly 162 letters that approved "465 luxury units with detached residential TOWNHOMES units with private garages". These signed letters did not sign approval of 470 apartments with covered parking. These letters do not support this project.

Of those 162 some letters:

-70 plus came from employees of businesses within the 1-17/Happy Valley corridor

-80 from addresses outside of our county island

-Only 11 were within our county island. Two of these are selling to Toll Brothers. But again, all of were giving approval of residential Townhome.

Our community approves Homeownership keeping the character of our neighborhood intacted. Allowing us to raise our children and grandchildren while caring for horses and other animals.

Even though we are county residents we support the City of Phoenix by buying from the businesses around us. Most of us own businesses that also support the city both in community and financially. Height is another issue. Currently the Toll Brothers project height of 3 and 4 stories is in violation of the S1 zoning of the parcel to the east. S-1 is ranch or farm residential use with height not to exceed 30ft. Along the east side (17th Ave) all of those homeowners will have their privacy violated. Even though USAA (to the west of 19th Ave) is not associated with us. Their homes are only one to two stories.

The traffic report was based on National Averages not actually readings. This high traffic area is already a problem and USAA (across from 19th Ave) had not even completed building. The proposed Toll Brother 470 units means 1200 plus people and the upcoming proposed Bungalows of 170 units 500 plus people. Our county island is blocked by the canal to only have access in and out by Happy Valley or 19th Ave.

The traffic by the proposed projects will add a tremendous amount of stress, pollution and accidents. The current Commercial/office would be the opposite direct of peak hours with no weekends or holidays. With both of the proposed projects that is close to 2,000 plus people entering and existing. Both projects are saying they will expand 19th Ave which will leave a bottleneck at Parsons.

The core values of the City of Phoenix is to "promote and encourage compatible development and redevelopment" that is not being exercised here. Rentals are not compatible with the character of our neighborhood. Every person living in our county island chooses to live here because we enjoy our lifestyle for both us and our animals. We are not against development. We are not against the current commercial office zoning. We are against high-density apartments changing who we are as a community. South of Happy Valley and along 1-17 would better fit this project. Please leave our community to homeownership.

Sincerely,



Melissa Crawford

623 606 7248

January 12, 2022

RE: City of Phoenix - GPA-DV-2-21-1 and Z-48-21-1 – Appeal Submittal

To The City of Phoenix Planning Department and Zoning, Staff, Councilmen, Developers, and the four Neighbors on Desert Hollow,

We have no representation for our neighborhood. All attorney's contacted stated, "they only work with developers." The City MUST represent the neighborhoods!!!!

We can't give $500,000 to the schools, as Toll Brothers promised. We can't pay the City FAVORS for a deed or tax revenue increase. This is only the tip of the favors promised.

I'm appealing the decision to entertain a FOUR Story development with high density apartments along side R-43 (one house per acre.) This doesn't not fit the characteristics of the rural community, infrastructure, or aesthetics of the area.

The members have taken an oath to develop the area to meet the characteristics/feel of the area. This is NOT even considered by the City of Phoenix. The views of the Union Hills will be blocked for quit a distance. The "Happy Valley triangle" area will not have that valley feel at all.

This is one house per acre.

What are you thinking added a FOUR story high density development next to the R-43 (S-1 for the City of Phoenix) property?

I strongly oppose and wish to appeal the area you have chosen to develop this High Density Development.

With Strong Opposition,

Julie Burns 1717 W Yearling Road & 1732 W Yearling Road

January 12, 2022

RE: City of Phoenix - GPA-DV-2-21-1 and Z-48-21-1 – Appeal Submittal

To All It May Concern,

We own and reside at 25657 N. 17th Avenue. We will be negatively impacted by this Proposed Development. The Density & Height alone are polar opposites of our R43 zoning and In no way shape or form could be considered Transitional. We are adding our voice to fully support Wayne Hudgeons who would bear the brunt of this development. It is disruptive and incompatible with the Character of our R-43 zoning which we have all complied with these many years.

Therefore we are also appealing the decision made by the Planning Commission on January 6th, AND Appealing your Appeal Process. I feel that under the circumstances the voices that should carry weight are ALL of the Actual residents and parcel property owners that currently comply with the R-43 zoning and reside within that land-locked County Island.

The impact of this change in Zoning and density **directly** impacts our lives and well being, as well as our property values. Therefore the opposition from **homeowners** within our entire County Island area should be given the most weight. Due to the size of most Parcels within our County Island a 150' radius is an unreasonable requirement.

These signed Petitions are signed almost solely by Owners and/or Residents within this County Island in Contrast to the Developers letters of Support which utilized mainly businesses and employees of business within the Happy Valley I-17 corridor. In fact as the presentation by the Toll Brothers was implied by several residents, I believe you will find some that may have indicated they were in support have changed their minds. Please also give weight to the efforts we are making thru such trying times and such unusual means. I know personally how hard it has been for me to find any time to add this complication of life into all the others that have come our way in the last two years, so even though this may seem last minute to you, please know that it has taken its toll on us to have to try and convince those who don't live here how truly incompatible this is to our neighborhood.

We implore you to not allow this high residential density into our small landlocked R-43 area - We understood (didn't like it but understood) the perimeter commercial that occurred on the SE corner, but beyond that we do not understand the need. There are still plenty on vacant parcels MUCH MORE appropriate for high density than we are south of Happy Valley RD and to the West of Norterra Parkway. The 2 main Roads that border us essentially lead to nowhere Happy Valley eastbound is 2 lanes and remains so as it turns into 7th St. until Deer Valley Rd. – 19th Ave Northbound disappears into North Valley Parkway which leads to an already fully populated housing developments) traffic is already a nightmare as things are. This is NOT transitional for our neighborhood and its character, it would in fact be extremely cumbersome to deal with.

Phoenix is dotted with other pockets like ours, Sunburst Farms, Western Meadows etc. and they are also a big part of the diversity that Phoenix offers to residents wanting to call this home. Rental Apartments are generally short term dreams in most peoples long term plans so the turnovers are generally high. We are lucky enough to have a few rental homes within Phoenix and we never ever raised rent for a good tenant (one that pays pretty much on time and cared for the property), rent would only be raised, if appropriate, after they chose to move out. I wonder is these Developers would do the same? Is the true benefit to tenants that are overcharged and a dime a dozen to them or better served to possible future land homeowners lucky enough to have gotten something truly unique to Phoenix , property within the City that feels like a rural home in the Country. Please maintain what we vested our lives and monies in.

Respectfully,

Richard & Laurel Brodie
25657 N. 17th Avenue
Phoenix, AZ 85085

Oppose the proposed Lumara Planned Unit Development

Rezoning Application Case Z-48-21-1 and GPA-DV-2-21-1

Maintain the character of the Happy Valley County Island rural Community and retain the commercial buffer zone

Action Petitioned for the Deer Valley Village Planning Committee and the City of Phoenix Planning and Zoning Commission

Happy Valley 19, LLC, and Toll Brothers filed a rezoning request for commercial (C-O/M-O), and PUD land approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road in north Phoenix. The proposed planned unit development (GPA-DV-2-21-1) consists of 470 Apartments on PUD 13.48, C-O/M-O 5.29 acres, County RU-43 (Pending S-1) (8.19) acres, or 15+ units per acre. Increased housing density and diversity is to help solve the current housing shortage and to serve as a built-in customer base for businesses recently built in the Happy Valley Road Corridor and Norterra employment zone.

Lumara, as designed, is in contrast to single-story large-lot properties that have dominated the area for decades. Increased housing density, population, and traffic will conflict with the established neighborhood rural quality and character. New development should be sensitive to and not negatively impact existing residents' community.

We, the undersigned, live in an area long designated for single-family residences. We request that you oppose any multi-family residential development and maintain the current RU-43 and S-1 on the 8.19 acres, the 5.29-acre buffer already zoned for commercial offices (C-O/M-O) and PUD of 13.48 acres.

Printed Name	Signature	Address	Phone Number	Date
Robert McKee		1219 W. Parsons Rd Phx, Az 85085	602-456-9812	1-9-22
Alison McKee		1219 W Parsons Rd Phx Az 85085	602-702-3676	1-9-22
Vivi Tafeaga		25219 N. 15th Ave Phx AZ 85085	602 882-9302	1-9-22
Mike Ciglar		25219 N 15th Ave Phx AZ 85085	602-418-9300	1-9-22
GORDON LOUCKS		25236 N 15 Ave PHX AZ 85085	623-582-1133	1-9-22
Judith Loucks		25236 N. 15th Ave. Phx 85085	623-582-1133	1-9-22
Linda Stay		25411 N. 16th Ave Phx 85085	623.695.5562	1-9-22
Nancy Polito		25412 N15th Ave Phx 85085	623-332-5163	1-9-22
Paul Bieber		25411 N. 16th Ave Phx 85085	623.252.4265	1-9-22
Lore Hardwick		25412 N 15 Ave Phx AZ 85085	480 861 8736	1-9-22
chad stay		25412 N 15 Ave Phx AZ 85085	602-989-1893	1-9-22
Shantel Hitchcock		25625 N 15 Ave Phx 85085	602 821-8104	1-9-22
William Hitchcock		25625 N 15 ave phx 85085	480-495-3263	1-9-22
Kristina Hitchcock		25625 N 15 ave phx 85085	602-418-2096	1-9-22
Travis Toth		25219 N 15th Ave Phx 85085	602-566-7179	1-9-22

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Printed Name	Signature	Address	Phone Number	Date
KEVIN JOHNSON		1740 W. Quartz Rock Rd	623764 1466	1-8-2022
[illegible] JOHNSON		1740 W. Quartz Rock Rd	623764 1465	1-8-2022
TAYLOR JOHNSON		1740 W. Quartz Rock Rd	480-209-4565	1-8-22
Todd A Myers	Todd A Myers	1740 W Quartz Rock Rd	6023613843	1-8-2022
Karen K. Myers	Karen K. Myers	1740 W Quartz Rock Rd	6023613467	1-8-2022
Kim Wampler	Kim Wampler	25919 N. 17th Ave	602-451-1327	1-8-2022
Michael E. Wampler	Michael Wampler	25919 N. 17th Ave	623-516-1010	1-8-2022
Noah Wampler	Noah Wampler	25919 N. 17th Ave 85085 Phx AZ	602-908-5494	1-8-2022
Angelica Wampler	Angelica M. Wampler	25919 N. 17th ave phx AZ	520-269-3398	1-8-2022
Michael A. Wampler	Michael Wampler	25919 N. 17th Ave. Phx Az	623-516-1010	1-8-2022
ANNE CORKINS		25609 N 11th Ave Phx 85085	602 710-1846	1-8-2022
Dusty Schollmeyer		25700 N 16th Ave Phx 85085	602-561-1665	1-8-2022
Tim Schollmeyer		25700 N 16th Ave Phx 85085	602-561-1665	1-8-2022
Kristin Schollmeyer		25700 N. 16th Ave PHX, AZ 85085	480-532-6771	01/08/2022

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Printed Name	Signature	Address	Phone Number	Date
Keziah Simonson	Keziah Simonson	1818 W. Parsons Road	(602) 615-4848	1/8/22
Chris Simpson		1818 W Parsons Rd Phoenix AZ 85085	602 290-1286	1/8/22
Richard J. Hill Jr	Richard J. Hill Jr.	1808 W. PARSONS Rd.	602-515-3216	1/8/22
Barbara L Hill	Barbara L Hill	1808 W. Parsons Road	602-471-2444	1/8/22
Margaret A. Langley	Margaret Langley	2701 W Parsons Rd	970-217-2791	1/8/22
Allyson McLean	Allyson McLean	1607 W. Parsons Rd	303-242-1871	1/8/22
Michael McLean		1607 W. Parsons Rd	303-242-1510	1/8/22
Robert Grayson		25438 N 17th Ave	6235700008	1-8-22
Robert Stewart	Robert Stewart	2550S N. 17th Ave	602-390-2644	1-8-22
Connie Labuhn		25439 N. 17th Ave	623-533-1577	1-8-22
Georgia Labuhn	Georgia Labuhn	25439 N. 17th Ave	6029804238	1-8-22
Brandon Hourihan		25438 N 17th Ave	602-350-5562	1-8-22
Preston Goldmann		25438 N 17th Ave	6029805739	1-8-22
Warren Butler		1707 W. Yearling Rd Phx	602-329-0891	1-8-22
Courtney Hamby	Courtney Hamby	1707 W Yearling Rd Phx Az	602-214-4859	1-8-22

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Printed Name	Signature	Address	Phone Number	Date
JL MANN		1615 W Briles Rd	6236802437	1.10.22
~~Kelly H Mann~~	~~K H Mann~~			
Kelly H Mann	K H Mann	1615 W Briles Rd.	801-485-6284	1-10-22
Martha Tallant	Martha Tallant	25814 N. 17th Ave	602 317-8094	1-10-22
Sandra Nolan	Sandra Nolan	25814 N. 17th Ave	602-327-8547	1-10-22
Daniel Nolan	Daniel Nolan	25814 N 17th Ave	4802650782	1-10-22
Billee Lewis	Billee Lewis	25441 N 17th Ave	623-937-5164	1-10-22
Charity Wamper		25919 N. 17th Ave	602-831-8764	1-10-22
Timothy Arnold	Timothy Arnold	25919 N. 17th Ave	315-949-1974	1-10-22
Kim COCUZZA	K Cocuzza	25813 N. 17TH AVE	805-501-0771	1-10-22
PHIL COCUZZA	Phil Cocuzza	25813 N. 17th Ave	818-404-0777	1-10-22
Mike Herman		1615 W. Quartz Rock Rd	602-750-6512	1-10-22
Beverly Herman		1615 W. Quartz Rock Rd	602-740-7227	1-10-22
Harry Rimbey	Harry E Rimbey	26027 N. 17th Ave	623-680-7471	1-10-22
Mike Rimbey	Mike Rimbey	26027 N. 17th Ave	480-294-3050	1-10-22

GTH

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Printed Name	Signature	Address	Phone Number	Date
BJ Lucas	BJ Lucas	26223 N. 17th	602-316-5557	1/9/22
Kathy Doucette	Kathy Doucette	26223 N. 17th E	623-580-4984	1/9/22
Susan Spaulding	Susan Spaulding	25216 N 15th AVE	602-999-0261	1/9/22
Roy Spaulding	Roy Spaulding	25216 N 15th AVE	602-488-5116	1/9/22
Richard Brodie	Richard Brodie	25657 N. 17th Ave 85085	623-581-0309	1-9-22

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Printed Name	Signature	Address	Phone Number	Date
Gary Grim		25411 N 11th Ave 85085	623 581-3334	1/9/22
Cathy Grim	Cathy Grim	25411 N 11th Ave 85085	623-582-9032	1/9/22
Gwen Currey	Gwen Currey	25511 N. 16th Ave 85085	602-390-3922	1/9/22
JEFF CURREY		25511 N. 16th AVE 85085	602-390-3922	1-9-22
Tim Jordan		25715 N. 15th Ave. 85085	480-518-0296	1-9-22
Adriana Zazueta-Jordan		25715 N. 15th Ave. 85085	602-402-7906	1/9/22
Colw KIDD		1323 W. YEARLING RD 85085	623 587 9215	1/9/22
BARBARA KIDD	BARBARA KIDD	1323 W YEARLING RD 85085	623 587 9215	1/9/22
RICHARD STEWART		1316 W YEARLING RD 85086	623 229 8752	1/9/22
JEFF MIKLUS		1706 W. PARSONS Rd 85085	602 399-1011	1/9/22
CAROL MIKLUS		1706 W. PARSONS Rd	602 399-1014	1/9/22
Dennis Hagarty	DENNIS HAGARTY	25225 N. 11 Ave 85085	602-361-6556	1/9/22
Wade Hagarty	Wade Hagarty	25207 N. 11 Ave 85085	602-513-6207	1/9/22
Laurel Brobic		25687 N 17th Ave 85085	623-640-8384	1/9/22

Oppose the proposed Lumara Planned Unit Development Rezoning Application Case Z-48-21-1 and GPA-DV-2-21-1 **Maintain the character of the Happy Valley County Island rural Community and retain the commercial buffer zone** **Action Petitioned for the Deer Valley Village Planning Committee and the City of Phoenix Planning and Zoning Commission**	Happy Valley 19, LLC, and Toll Brothers filed a rezoning request for commercial (C-O/M-O), and PUD land approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road in north Phoenix. The proposed planned unit development (GPA-DV-2-21-1) consists of 470 Apartments on PUD 13.48, C-O/M-O 5.29 acres, County RU-43 (Pending S-1) (8.19) acres, or 15+ units per acre. Increased housing density and diversity is to help solve the current housing shortage and to serve as a built-in customer base for businesses recently built in the Happy Valley Road Corridor and Norterra employment zone. Lumara, as designed, is in contrast to single-story large-lot properties that have dominated the area for decades. Increased housing density, population, and traffic will conflict with the established neighborhood rural quality and character. New development should be sensitive to and not negatively impact existing residents' community. **We, the undersigned, live in an area long designated for single-family residences. We request that you oppose any multi-family residential development and maintain the current RU-43 and S-1 on the 8.19 acres, the 5.29-acre buffer already zoned for commercial offices (C-O/M-O) and PUD of 13.48 acres.**

Printed Name	Signature	Address	Phone Number	Date
Emily Burke	Emily Burke	26215 N. 17th Drive Phx	602-621-3355	1-10-2
Travis Burke		26215 N. 17th Drive Phx Az	602-621-3355	1-10-2
Brian Rido		1312 W. Parsons RD PHX AZ	623 293-2921	11 Jan 22
[redacted]				
Debra Krasuski	Debra Krasuski	25809 N. 15th Ave Phx 85085	602 881-6377	1-11-22
Paul Krasuski		25809 N. 15 Ave Phx 85085	6028816372	1-11-22
Rachelle Couch		1703 W Quartz Rock Rd Phx 85085	7604709741	1-11-22
Linda Dye	Linda Dye	1703 W Quartz Rock Rd, 85085	303-710-5651	1-11-22
Justin Mun		1625 W. Parsons Rd	6025779188	1.12.22

GTM GTM GTM

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Printed Name	Signature	Address	Phone Number	Date
Floyd Rick Lan	Floyd Rick Lan	1744 W Parsons Dr	602-672-1418	1/8/22

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Printed Name	Signature	Address	Phone Number	Date
Patricia Larson	Patricia A Larson	25107 N 16th Ave, Phoenix, AZ 85085	623-217-4417	1/6/22
Steve LARSON	Steve R Larson	" "	602-620-8331	1/8/22
DORIN SILAGHI	D	25713 N. 16TH AVE, PHOENIX, AZ, 85085	602-561-6416	1/8/22
Cornelia Silaghi	Cornelia S	25713 N 16th Ave, Phoenix, AZ 85085	602-330-2284	1/8/22
Melissa Crawford		1736 W Parsons Rd, Phoenix AZ 85085	623 606-7248	1/11/22
Alan Crawford		1736 W Parsons Rd, Phoenix AZ 85085	602 499-7867	1/11/22
Jacob Crawford	Jacob Crawford	1736 W Parsons Rd, Phoenix AZ 85085	623 696-9165	1/11/22
Madison Crawford	Madison	1736 W Parsons Rd, Phoenix AZ 85085	602 214-5332	1/11/22

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We, the undersigned, live in an area long designated for single-family residences. We request that you oppose any multi-family residential development and maintain the current RU-43 and S-1 on the 8.19 acres, the 5.29-acre buffer already zoned for commercial offices (C-O/M-O) and PUD of 13.48 acres.

Printed Name	Signature	Address	Phone Number	Date
Jason Schmidt		1616 W Yearling Rd Phoenix AZ 85085	623 3020052	1-10-22
Harmoni Schmidt	Harmoni Schmidt	1616 W. Yearling Rd, PHX AZ 85085	952.240.1376	1/10/22
Wayne Hudgeons	Wayne Hudgeons	25406 N. 17th Ave Phx, AZ 85085	623-340-0579	1/10/22
Russell Liebman	Russell Liebman	25408 N 17th AVE PHX AZ 85085	928-295-8659	1/10/22
Kimberly Eller	Kimberly Eller	25406 N. 17th Ave Phx. AZ 85085	6024189407	1-11-22

Oppose the proposed Lumara Planned Unit Development

Rezoning Application Case Z-48-21-1 and GPA-DV-2-21-1

Maintain the character of the Happy Valley County Island rural Community and retain the commercial buffer zone

Action Petitioned for the Deer Valley Village Planning Committee and the City of Phoenix Planning and Zoning Commission

Happy Valley 19, LLC, and Toll Brothers filed a rezoning request for commercial (C-O/M-O), and PUD land approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road in north Phoenix. The proposed planned unit development (GPA-DV-2-21-1) consists of 470 Apartments on PUD 13.48, C-O/M-O 5.29 acres, County RU-43 (Pending S-1) (8.19) acres, or 15+ units per acre. Increased housing density and diversity is to help solve the current housing shortage and to serve as a built-in customer base for businesses recently built in the Happy Valley Road Corridor and Norterra employment zone.

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Printed Name	Signature	Address	Phone Number	Date
Austin Bottoms	Austin B	1720 W Parsons Rd 85085 PHX AZ	602-247-1093	01/12/22
Alicia Bottoms	Alicia Bottoms	1720 W Parsons RD Phx AZ 85085	623-210-6527	1-12-22

se the proposed Lumara Planned Unit elopment Rezoning Application Case Z-48-21-1 and GPA-DV-2-21-1 **Maintain the character of the Happy Valley County Island rural Community and retain the commercial buffer zone**	Happy Valley 19, LLC, and Toll Brothers filed a rezoning request for commercial (C-O/M-O), and PUD land approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road in north Phoenix. The proposed planned unit development (GPA-DV-2-21-1) consists of 470 Apartments on PUD 13.48, C-O/M-O 5.29 acres, County RU-43 (Pending S-1) (8.19) acres, or 15+ units per acre. Increased housing density and diversity is to help solve the current housing shortage and to serve as a built-in customer base for businesses recently built in the Happy Valley Road Corridor and Norterra employment zone. Lumara, as designed, is in contrast to single-story large-lot properties that have dominated the area for decades. Increased housing density, population, and traffic will conflict with the established neighborhood rural quality and character. New development should be sensitive to and not negatively impact existing residents' community. **We, the undersigned, live in an area long designated for single-family residences. We request that you oppose any multi-family residential development and maintain the current RU-43 and S-1 on the 8.19 acres, the 5.29-acre buffer already zoned for commercial offices (C-O/M-O) and PUD of 13.48 acres.**
Action Petitioned for the Deer Valley Village Planning Committee and the City of Phoenix Planning and Zoning Commission	

Printed Name	Signature	Address	Phone Number	Date
John Crowell		1703 W Quarterback Rd	7207090093	1-8-22

Oppose the proposed Lumara Planned Unit Development Rezoning Application Case Z-48-21-1 and GPA-DV-2-21-1 **Maintain the character of the Happy Valley County Island rural Community and retain the commercial buffer zone**	Happy Valley 19, LLC, and Toll Brothers filed a rezoning request for commercial (C-O/M-O), and PUD land approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road in north Phoenix. The proposed planned unit development (GPA-DV-2-21-1) consists of 470 Apartments on PUD 13.48, C-O/M-O 5.29 acres, County RU-43 (Pending S-1) (8.19) acres, or 15+ units per acre. Increased housing density and diversity is to help solve the current housing shortage and to serve as a built-in customer base for businesses recently built in the Happy Valley Road Corridor and Norterra employment zone. Lumara, as designed, is in contrast to single-story large-lot properties that have dominated the area for decades. Increased housing density, population, and traffic will conflict with the established neighborhood rural quality and character. New development should be sensitive to and not negatively impact existing residents' community. **We, the undersigned, live in an area long designated for single-family residences. We request that you oppose any multi-family residential development and maintain the current RU-43 and S-1 on the 8.19 acres, the 5.29-acre buffer already zoned for commercial offices (C-O/M-O) and PUD of 13.48 acres.**
Action Petitioned for the Deer Valley Village Planning Committee and the City of Phoenix Planning and Zoning Commission	

Printed Name	Signature	Address	Phone Number	Date
~~PEE~~ PO RIGUEZ	RA Rodriguez	5915 W. Redfield	602-978-3414	1-12-22
Megan Rock	Megan Rock	25256 N. 11th Ave	602-820-5711	1-12-22
Jeffrey Rock	Jeffrey Rock	25256 N. 11th Ave	602-228-8528	1-12-22

Oppose the proposed Lumara Planned Unit Development Rezoning Application Case Z-48-21-1 and GPA-DV-2-21-1 **Maintain the character of the Happy Valley County Island rural Community and retain the commercial buffer zone**	Happy Valley 19, LLC, and Toll Brothers filed a rezoning request for commercial (C-O/M-O), and PUD land approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road in north Phoenix. The proposed planned unit development (GPA-DV-2-21-1) consists of 470 Apartments on PUD 13.48, C-O/M-O 5.29 acres, County RU-43 (Pending S-1) (8.19) acres, or 15+ units per acre. Increased housing density and diversity is to help solve the current housing shortage and to serve as a built-in customer base for businesses recently built in the Happy Valley Road Corridor and Norterra employment zone. Lumara, as designed, is in contrast to single-story large-lot properties that have dominated the area for decades. Increased housing density, population, and traffic will conflict with the established neighborhood rural quality and character. New development should be sensitive to and not negatively impact existing residents' community. **We, the undersigned, live in an area long designated for single-family residences. We request that you oppose any multi-family residential development and maintain the current RU-43 and S-1 on the 8.19 acres, the 5.29-acre buffer already zoned for commercial offices (C-O/M-O) and PUD of 13.48 acres.**
Action Petitioned for the Deer Valley Village Planning Committee and the City of Phoenix Planning and Zoning Commission	

Printed Name	Signature	Address	Phone Number	Date
Timothy Bottoms		1720 W. Parsons Rd.	602-725-3205	1/11/22
DAVID Rockey		25440 N. 11th Ave	515 4685	1/11/22
Megan Falk	Megan Falk	1625 W. Parsons Rd	9499129202	1-11-22
Alex Wade		1625 W Parsons Rd.	480 686 0700	1-11-22

Oppose the proposed Lumara Planned Unit Development Rezoning Application Case Z-48-21-1 and GPA-DV-2-21-1 **Maintain the character of the Happy Valley County Island rural Community and retain the commercial buffer zone** **Action Petitioned for the Deer Valley Village Planning Committee and the City of Phoenix Planning and Zoning Commission**	Happy Valley 19, LLC, and Toll Brothers filed a rezoning request for commercial (C-O/M-O), and PUD land approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road in north Phoenix. The proposed planned unit development (GPA-DV-2-21-1) consists of 470 Apartments on PUD 13.48, C-O/M-O 5.29 acres, County RU-43 (Pending S-1) (8.19) acres, or 15+ units per acre. Increased housing density and diversity is to help solve the current housing shortage and to serve as a built-in customer base for businesses recently built in the Happy Valley Road Corridor and Norterra employment zone. Lumara, as designed, is in contrast to single-story large-lot properties that have dominated the area for decades. Increased housing density, population, and traffic will conflict with the established neighborhood rural quality and character. New development should be sensitive to and not negatively impact existing residents' community. **We, the undersigned, live in an area long designated for single-family residences. We request that you oppose any multi-family residential development and maintain the current RU-43 and S-1 on the 8.19 acres, the 5.29-acre buffer already zoned for commercial offices (C-O/M-O) and PUD of 13.48 acres.**

Printed Name	Signature	Address	Phone Number	Date
Vicki Hunt		25839 N. 19th Ave Phx 85085	(623) 204-1575	1/12/22
Bobette Koen		25811 N. 15th Ave Phx 85085	617 838-8282	1/12/22
MARJORIE MCCRO		1647 W. BRILES RD PHX 85085	708 217-5285	1/12/22
BAKER MURPHY		1647 W. BRILES RD PHX 85085	219 308-8516	1/12/22

Oppose the proposed Lumara Planned Unit Development Rezoning Application Case Z-48-21-1 and GPA-DV-2-21-1 **Maintain the character of the Happy Valley County Island rural Community and retain the commercial buffer zone** **Action Petitioned for the Deer Valley Village Planning Committee and the City of Phoenix Planning and Zoning Commission**	Happy Valley 19, LLC, and Toll Brothers filed a rezoning request for commercial (C-O/M-O), and PUD land approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road in north Phoenix. The proposed planned unit development (GPA-DV-2-21-1) consists of 470 Apartments on PUD 13.48, C-O/M-O 5.29 acres, County RU-43 (Pending S-1) (8.19) acres, or 15+ units per acre. Increased housing density and diversity is to help solve the current housing shortage and to serve as a built-in customer base for businesses recently built in the Happy Valley Road Corridor and Norterra employment zone. Lumara, as designed, is in contrast to single-story large-lot properties that have dominated the area for decades. Increased housing density, population, and traffic will conflict with the established neighborhood rural quality and character. New development should be sensitive to and not negatively impact existing residents' community. **We, the undersigned, live in an area long designated for single-family residences. We request that you oppose any multi-family residential development and maintain the current RU-43 and S-1 on the 8.19 acres, the 5.29-acre buffer already zoned for commercial offices (C-O/M-O) and PUD of 13.48 acres.**

Printed Name	Signature	Address	Phone Number	Date
JAMES WHATLEY		25839 N. 19th Ave. Phx AZ 85085	480-297-4537	1-11-22
Julie Burns	Julie Burns	1717 W Yearling Rd	6026453403	"
Julie Burns	Julie Burns	1732 W. Yearling Rd	6026453403	"

Oppose the proposed Lumara Planned Unit Development Rezoning Application Case Z-48-21-1 and GPA-DV-2-21-1 **Maintain the character of the Happy Valley County Island rural Community and retain the commercial buffer zone**	Happy Valley 19, LLC, and Toll Brothers filed a rezoning request for commercial (C-O/M-O), and PUD land approximately 270 feet north of the northeast corner of 19th Avenue and Happy Valley Road in north Phoenix. The proposed planned unit development (GPA-DV-2-21-1) consists of 470 Apartments on PUD 13.48, C-O/M-O 5.29 acres, County RU-43 (Pending S-1) (8.19) acres, or 15+ units per acre. Increased housing density and diversity is to help solve the current housing shortage and to serve as a built-in customer base for businesses recently built in the Happy Valley Road Corridor and Norterra employment zone. Lumara, as designed, is in contrast to single-story large-lot properties that have dominated the area for decades. Increased housing density, population, and traffic will conflict with the established neighborhood rural quality and character. New development should be sensitive to and not negatively impact existing residents' community.
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Printed Name	Signature	Address	Phone Number	Date
Valerie King		1732 W. Yearling Rd., Phoenix, AZ 85085	325-668-8910	01/11/22
David Beaver		1732 W. Yearling Rd., Phoenix, AZ 85085	602-330-2872	01/11/22

David O Simmons

From: matt.j.lupo@wellsfargo.com
Sent: Friday, December 10, 2021 4:09 PM
To: David O Simmons
Cc: ngriemsmann@swlaw.com; pjaramillo@swlaw.com
Subject: RE: Request for Link for Zoning Case Z-48-21-1

Hello David,

I apologize I had a family emergency come up last night so I was not able to attend the call. I would like to show my support of the Toll Brothers and their proposed project on 19th ave. I believe Toll brother builds a great product and confident that it will bring quality living spaces to the area.

Thank you

Matt Lupo

Branch Manager
22nd Ave And Happy Valley

Wells Fargo Bank, N.A | 2123 W. Happy Valley Rd | Phoenix, AZ 85085
Mac S4104-011
Tel 623-587-3700 | Fax 623-587-3707
NMLS ID 774377

Matt.j.lupo@wellsfargo.com

From: David O Simmons <david.simmons@phoenix.gov>
Sent: Tuesday, December 7, 2021 8:26 AM
To: Lupo, Matthew J. <matt.j.lupo@wellsfargo.com>
Cc: Griemsmann, Noel <ngriemsmann@swlaw.com>; Jaramillo, Paola <pjaramillo@swlaw.com>
Subject: RE: Request for Link for Zoning Case Z-48-21-1

Mr. Lupo,

Thank you for reaching out in regard to Rezoning Case No. Z-48-21-1 and GPA-V-2-21-1. I have saved your comments below to the case file to be included as part of the public record. I have also cc'd the applicant so they are aware of your support.

The Deer Valley Village Planning Committee (DV VPC) will hear the cases at the December 9, 2021 meeting. I have added your name to the speaker roster for the December 9, 2021 meeting. Please click on the registration link on the attached agenda to register for the meeting.

The Planning Commission will hear the case at the January 6, 2022 meeting and the City Council will make a final decision on February 2, 2022.

The applicants hearing draft of the development narrative can be reviewed here:
https://www.phoenix.gov/pdd/planning-zoning/pzservices/pud-cases

The cases are filed by case number (Z-48-21-1)

Please let me know if you have additional questions or concerns.

Respectfully,

David Simmons, MA
Paradise Valley & Deer Valley
Village Planner *II
200 West Washington Street
3rd Floor
Phoenix, AZ 85003
602-262-4072
david.simmons@phoenix.gov

From: matt.j.lupo@wellsfargo.com <matt.j.lupo@wellsfargo.com>
Sent: Monday, December 6, 2021 5:50 PM
To: David O Simmons <david.simmons@phoenix.gov>
Subject: Request for Link for Zoning Case Z-48-21-1

Hello David,

I would like to request a link for case Z-48-21-1, items #3,4 and request to speak in support of Proposed project at 19th ave and Happy Valley road.

Thank you

Matt Lupo

Branch Manager
22nd Ave And Happy Valley

Wells Fargo Bank, N.A | 2123 W. Happy Valley Rd | Phoenix, AZ 85085
Mac S4104-011
Tel 623-587-3700 | Fax 623-587-3707
NMLS ID 774377

Matt.j.lupo@wellsfargo.com

David O Simmons

From: RS B <rsbatl2012@gmail.com>
Sent: Wednesday, December 15, 2021 8:34 AM
To: Council District 1 PCC
Cc: David O Simmons
Subject: Toll Brothers project

Dear Councilmember O'Brien.

My name is Rosa Somohano and I am a resident in North Phoenix

Our area is growing tremendously and I am thankful for the many employers moving into the area. What is needed now is more housing options. I received a presentation on the proposed Toll Brothers projects to be located at Happy Valley Rd. and 19thAve and I really like it. It has so many great amenities and most importantly is a higher end development. This will encourage and promote safety for our area and be attractive to the many employees who are now working in our area.

I also appreciate that they will be screening residents for income and criminal history, developing out some of 19th Ave and once finished, will enhance that corner that is badly in need of development.

I hope you will consider supporting this project, which I believe will be perfect for our area

Thank you for your time. Happy Holidays.

Best,

Rosa Somohano

2526 W Rancho Laredo Dr

Phoenix, AZ 85085

(770)595-2384

David O Simmons

From: SCIA <sonorancitizens@gmail.com>
Sent: Wednesday, December 15, 2021 1:45 PM
To: Council District 1 PCC
Cc: David O Simmons
Subject: Please support Toll Brothers at 19th Avenue and Happy Valley Road

Dear Councilmember O'Brien,

My name is Clif Freedman and I am the President of Sonoran Citizens Improvement Association. We represent the area of zip code 85085.
Our mission is to advocate for proper development that supports the housing needs in our area.

With the large number of employers moving into Phoenix and particularly into the North Valley, it is imperative we offer housing options.
A mixture of options is necessary to support the various preferences of those individuals moving into the area. When looking at multi family, we specifically prefer controlled environments that promote and ensure the safety and aesthetics our northern area enjoys. For this and many other reasons we whole heartily support the proposed Toll Brothers project located at 19th Ave and Happy Valley Rd.

This project will:

- Maintain a Gated Entry
- Will be Screening residents for income and criminal history
- Provides an amazing building design that includes enhanced landscape and superior architecture
- It's height is appropriate for the area
- IT will promote walkability in the area
- It also offers and extensive menu of amenities that screams "high end" housing.

Further:

- It takes an undeveloped piece of land and enhances that corner
- It is a downzoning – which is incredibly important to our association. The downzoning will decrease traffic in the area
- This project will be building out 19th Ave – which is incredibly valuable for current traffic needs
- Toll Brothers is a reputable company who holds a reputation of building and managing beautiful properties.

For these reasons – I encourage your support of this project.
The additional housing is greatly needed in the area and this is exactly the type of multi housing we should celebrate.

Thank you for your time.

Clif Freedman
1716 West Buckhorn Trail
Phoenix, AZ 85085
623-444-9445

Clif Freedman, President

Sonoran Citizens Improvement Association SCIA
SonoranCitizens@gmail.com

David O Simmons

From: matthew crook <matthewcr623@gmail.com>
Sent: Wednesday, December 15, 2021 4:13 PM
To: David O Simmons; Council District 1 PCC
Subject: Case #Z-48-21-1 Toll Brothers Happy Valley and 19th Ave

Council Members O'Brien and Simmons,

I support this project at 19th Ave and Happy Valley. It's a needed improvement to the area. More housing and business for the area.

Matthew Crook
General Manager IHOP 3083
2103 W Happy Valley Rd, Phoenix, AZ 85085

David O Simmons

From: brebek3@aol.com
Sent: Wednesday, December 15, 2021 4:48 PM
To: Council District 1 PCC; David O Simmons
Subject: Case # z-48-21-1, Toll Brothers - Happy Valley and 19th ave

Working for businesses in the area at 19 ave and Happy Valley. I support this project. This type of housing is needed in the area. This also supports revenue for businesses in the area

David O Simmons

From: Amer Atwan <amer@eatmrmesquite.com>
Sent: Thursday, December 16, 2021 6:12 PM
To: Council District 1 PCC; David O Simmons
Subject: Reg: Case # Z-48-21-1 Toll Brothers Happy Valley And 19th AVE

Council Members: O'Brien and Simmons

I support this project. House of this type is needed in this neighborhood. It will also create more revenue for the businesses and city

Amer atwan: Director Of Operations

Mesquite Fresh Street Mex

1730 West Happy Valley Rd
Phoenix Az, 85085

--
Amer Atwan
Corporate team member
Phone Number: (602) 775 3019

David O Simmons

From: Jennifer Hammond <jen5hammond5@gmail.com>
Sent: Friday, December 17, 2021 1:22 PM
To: Council District 1 PCC
Cc: David O Simmons
Subject: Case # z-48-21-1

I support this project. Housing of that type is needed in this area. It will also creat more revenue for the businesses and city.

Thank you,
Jennifer Hammond
IHOP
2103 w Happy Valley Rd, Phoenix, AZ 85085

David O Simmons

From: Scott Dennin <sdennin@smartstop.com>
Sent: Friday, December 17, 2021 2:55 PM
To: counsil.district.1@phoenix.gov
Cc: David O Simmons
Subject: Toll Brothers Happy Valley and 19th Ave

Counsel Members: O'Brien and Simmons

We support this project. Housing of that type is needed in this neighborhood. It will also create more revenue for the business and city.

Scott Dennin - District Trainer
AZ - District 015
SmartStop Self Storage
(602) 657-6725 - Cell
www.smartstop.com [smartstop.com]

David O Simmons

From: Lan Ngo <lankngo@yahoo.com>
Sent: Friday, December 17, 2021 3:11 PM
To: Council District 1 PCC
Cc: David O Simmons
Subject: Reg: Case # Z-48-21-1

Toll Brothers Happy Valley and 19th Ave
Council Members: O'Brien and Simmons

I support this project. Housing of that type is needed in this neighborhood. It will also create more revenue for the businesses and city.

Name: Lan Ngo

Company:
Happy Feet Nails & Spa 3
1730 W Happy Valley Rd Suite 103
Phoenix AZ 85085

623-248-54209

David O Simmons

From: David Dominguez <obeddominguez13@icloud.com>
Sent: Wednesday, January 12, 2022 2:46 PM
To: David O Simmons; Council District 1 PCC
Subject: Fwd: Case # Z-48-21-1 Toll brothers happy valley and 19th ave

Sent from my iPhone

Begin forwarded message:

> **From:** David Dominguez <obeddominguez13@icloud.com>
> **Date:** January 12, 2022 at 2:43:26 PM MST
> **To:** council.district.1@phoenix.gob
> **Subject: Case # Z-48-21-1 Toll brothers happy valley and 19th ave**
>
> Council members : O'Brian and Simmons
> I support this project . Housing of that types is needed in this neighborhood. It will also create more revenue for the business and city
>
> Obed David Dominguez
> Jacksons Car Wash
> 2591 W happy Valley Rd
>
> Sent from my iPhone

David O Simmons

From: Larry Chandler <lgchandler87@gmail.com>
Sent: Wednesday, January 12, 2022 4:01 PM
To: Council District 1 PCC; David O Simmons
Subject: Case # Z-48-21-1 Till Brother's Happy Valley & 19th ave

Members: O'Brien and Simmons ..... I support this project. More business for all of us!
From Larry Chandler @ AutoZone
Happy Valley Rd 1750 w. Happy Valley

David O Simmons

From: Johnson, Chris <CJohnson@ncghotels.com>
Sent: Wednesday, January 12, 2022 5:27 PM
To: David O Simmons
Cc: Council District 1 PCC
Subject: Regarding Case# Z-48-21-1 Toll Brothers Happy Valley 19Th Ave

To council members O'Brien and Simmons
I support this project. Housing of the type is needed in this area for community for growth. It will also create more revenue in the area and foster small businesses.

Thanks



Chris Johnson | Assistant General Manager
Courtyard by Marriott Phoenix North/Happy Valley
Residence Inn by Marriott Phoenix North/Happy Valley
2029 W. Whispering Wind Drive**|** Phoenix, AZ 85085
P: 623.580.8844 **|** F: 623.580.8845 **|** cjohnson@ncghotels.com
www.marriott.com [nam11.safelinks.protection.outlook.com]/phxbc **|** www.marriott.com [nam11.safelinks.protection.outlook.com]/phxrb **|** www.ncghotels.com [nam11.safelinks.protection.outlook.com]

Exceptional Hotels. Inspiring Careers. | www.ncgcareers.com [nam11.safelinks.protection.outlook.com]

Sign Up to Stay in Touch! [nam11.safelinks.protection.outlook.com]

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David O Simmons

From: Wayne Hudgeons <cwcwayne99@gmail.com>
Sent: Thursday, December 9, 2021 10:23 AM
To: David O Simmons
Subject: GPA-DV-2-21-1 (Companion Case Z-48-21-1):

My name is Wayne Hudgeons and I live at 25406 N 17th ave.

I am writing to let you know that I am opposed to the request to amend the General Plan Land Use of the 13.48 acres. I feel that this community is great with the zoning that we have and that is why we purchased a place to call home. The rezoning to multi family dwellings or apartments does not go with the character of our neighborhood. When we bought a house here to make our long term home we knew there would be development, we are not opposed to development. We made a conscious choice after looking at the zoning, knowing that there was the study for 300 feet of commercial along Happy Valley and there would be a medical building on 19th ave, that would add value to our community. The rest of the undeveloped land in the General Land Use Map and current zoning was R-43. Another reason would be the extra noise and light pollution would not be a good fit with our rural community of horses and livestock, even with light shades and directional lighting it very stressful to horses. The extra traffic that would come through our private community maintained roads would also be a major burden.

Best Regards,

Wayne Hudgeons
623-340-0579

David O Simmons

From: wmags@aol.com
Sent: Thursday, December 9, 2021 10:44 AM
To: David O Simmons
Subject: Z-48-21-1 and DV:2-21-1

This is Martha Tallant 25814 N. 17th Ave, Phoenix,Az 85085. I am requesting that you please consider our way of life. We are a rural area, we want to stay this way. One house per acre.
I am against placing apartments of any kind in this small area. I am surprised at all the apartment buildings along 19th Ave North of Pinnacle Peak, along Happy Valley at 17th ave ,again at 35th ave and along Jomax and I 17. We simply do not need any more apartments.

Thank you for listening and please give our area some consideration.

Mrs Martha Tallant
25814 N, 17th Ave
Phoenix,Az 85085

David O Simmons

From: Laurel Brodie <laurel@clearskies.com>
Sent: Tuesday, December 14, 2021 10:07 AM
To: David O Simmons
Cc: Council District 1 PCC; Melissa Crawford; Julie Burns
Subject: Re: Z-48-21-1 : (Companion Case No. GPA-DV-2-21-1) - OBJECTIONS

Mr. Simmons,

I was unable to join this meeting, but certainly we are quite disappointed from the things I have heard about how the meeting in general was conducted and the evident Approval by the Commission. We had high hopes based upon earlier Staff comments involving the protection from high density for the east side of 19th Ave.

I have several Inquiries / Requests related to this meeting / decision;

First, is there a link to a visual and audio recording of this meeting as I would like to review that footage, and are there transcribed minutes that can be reviewed ? I would appreciate a link to any and all pertaining to that.

Secondly, in Maricopa County there is an opportunity to Appeal decisions made by their Commission,

RE:

Appeal of Planning and Zoning Commission Recommendation

1. **Appeal Form** If the Planning & Zoning Commission recommends approval of a particular case it will be placed on a consent agenda for the Board of Supervisors hearing. However, if this appeal form is received within 15 calendar days following Commission hearing, then the agenda item will be placed on the regular agenda for the Board of Supervisors hearing.

does the City offer a similar or any appeal process to your decisions?

My understanding from things I have heard is that the presenter for Toll Brothers and another person stated many untruths in reference to our neighborhood and the people that reside here.That is one of the many issues that I feel we should have the opportunity to rebut, as well as being able to examine the names on the list of people he purported were all in favor of this build. I also understand that there was a gentleman speaking that stated or implied that he was someone with some kind of authority to represent the people of the 85085 zip code. I would like to know more on that issue as well. I can promise you that he does not in any way represent anyone that we are aware of within our County Island and those are the people that should be listened to with the most concern.

None of us are against housing on this property, we are aware housing is in short supply, but that supply should be a variety of offerings, as apartments are generally not where people choose to live their entire lives. And as stated over and over again throughout the years by the Deer Valley Planning Commission, transitional areas such as ours where people do have actual homes with actual families that are already well established in their lives on R-43 land deserve some thoughtful consideration as to what will appropriately border their properties. We are having to maneuver our way through this process all while we work our full time jobs and juggle life.

Now we are all presented with the biggest threat to our environment and Rural zoning and we find it quite unfair that people with deep pockets and no real ties to our community can just come in and bully their way through a process without someone giving careful consideration to those of us who live here (and we don't feel that is happening).

Maybe it would be appropriate for the people who will make the final decisions to come out to our neighborhood to see and speak to those of us who actually RESIDE here, we can't offer fancy presentations, but coffee and cake could be provided, so consider that an open invitation Ms. O'Brien and colleagues. I'm sure one of us would be happy to host.

I would appreciate any and all information that you can supply to help us pursue these matters further.

Respectfully,

Laurel Brodie
25657 N. 17th Ave
Phoenix, AZ 85085

As an example we would like to point out that we do not feel that the principals quoted below are being applied to our neighborhood and this developers request. We at a minimum deserve more time and ways to present our side of this, keeping in mind we have limited funds but alot of heart. Working within the numerous and diverse work schedules is challenging for us all which is why we ask to somehow find more time for us to present our case.

https://www.phoenix.gov/villagessite/Documents/pdd_pz_pdf_00472.pdf?fbclid=IwAR0iWTGrEX7DmCh5vtN_x-995n-sdKyXOZWaROqUKVlXs_by27dEUXBoVAY

Quotes;
"Protect and enhance the character of each neighborhood and its various housing lifestyles through new development that is compatible in scale, design, and appearance"
"Require appropriate transitions/buffers between neighborhoods and adjacent uses"
"The village is characterized by its desert setting and mountains, diverse and growing communities, and large employment centers. It is distinguished by its attraction for business, variety of housing types and density ranges"
"Additionally, the village is an active area of the city for the construction of single-family homes and redevelopment. Development within the Deer Valley Village should integrate into and incorporate elements of the natural desert environment."

https://www.phoenix.gov/pddsite/Documents/PlanPHX%20General%20Plan%202015%20Executive%20Summary.pdf

A BLUEPRINT FOR A CONNECTED OASIS - Phoenix, Arizona

Exete Say THE BLUEPRINT: A STRATEGIC SET OF TOOLS Using the Five Core Values as the foundation for the Vision, the updated General Plan will also contain a list of strategic Tools within each of the Five Core Values that will be implemented by staff,

Quotes;

"Phoenix will continue to be like no other city in the world. A place steeped in history, defined by its beautiful desert setting, activated by unique neighborhoods and businesses"

"Celebrate our Diverse Communities and Neighborhoods"

" Certainty & Character - Through the development of guiding principles for every Phoenix neighborhood, **residents will have greater levels of certainty about their quality of life and protections to ensure that their neighborhood remains unique and livable."**

From: Laurel Brodie <laurel@clearskies.com>
Sent: Tuesday, January 4, 2022 6:06 PM
To: PDD Planning Commission <pdd.planningcomm@phoenix.gov>; undefined <IMCEAUNDEFINED-enrique+2Ebojorquez-gaxiola+40phoenix+2Egov@namprd04.prod.outlook.com>
Cc: Julie Burns <julieb@hawkeyecustomlandscaping.com>; Melissa Crawford <melissa@empirepumpcorp.com>
Subject: City of Phoenix - GPA-DV-2-21-1 and Z-48-21-1

The Zoning in our County Island is R-43 and at least 50% plus of our County Island built and conform with R-43 zoning. That is why we bought and built on this property 30+ years ago. At a Minimum your decisions should lean heavily to those of us that did not buy property zoned for something else becasue it was cheaper than buying land zoned for our intended purpose. **BOTH** of these proposed developments (even though one is City and the other County) are taking advantage of the residents within this island and obviously have much deeper pockets than we.
The people that own and reside in the area that will be greatly impacted by this type of density change. Therefore the opposition from **homeowners** within our entire County Island area should be given the most weight.
It should also take into account the following;

The Owners of Parcels - 210-10-008B - 210-10-008D - 210-10-008F - 210-10-008G - should have NO VOICE in this development as they have already been strong armed into selling out to the developer

The Owners of The Bungalows at Norterra should also have NO VOICE Parcels 210-10-027A , 210-10-031A, 210-10-020D, 210-1-=020C, 210-10-010
And both Developers should be treated as hostile voices as they are supporting each other in their bids to effect unalterable life changing events within our land-locked County Island.
The majority of the Parcels within our boundaries (19th Ave-Jomax-CAP-Happy Valley) are Owned and Occupied Homes built within the constraints of Maricopa County R-43 Zoning. Based upon Documents published over the Years by the Deer Valley Planning Commission, we had every reason to expect our area would remain as is (even if the City of Phoenix successfully annexed us all) . We understand there is a need for housing, buy there is a need for all types of housing and anything built of the vacant lands within our boundaries should be with that in mind. Multi Family dwelling is not transitional to R-43. Single Family Homes on no less than .33 acres could be seen as transitional. It might also be seen as quite desirable to those who would prefer not to live in high density developments.
There have been statements by the Developers and some Planning Staff that would imply the residents of our area do not really care as we haven't been vocal enough or "organized" in our opposition to these Developments. Please keep in mind that especially over the last 2 years life has become very busy and stressful for many many people. None of us are being paid to sit in these meetings over and over again, it is difficult to even keep up with any information as written letters are not sent to each of us as homeowners, signs are installed with no dates, then dates, then dates that change AND we are having to OPPOSE (2) developments side by side that both want the same outcome AT THE SAME TIME !! It may not seem like it to you but we are trying our best to show you with the resources and time that we have. I have spent many of my days off work speaking with and trying to compose coherent and to the point letters. I don't find that easy as I am a long winded person (I am aware) but I am also passionate and find it difficult to be anything else when we are speaking of losing what we have spent our lives building.

Phoenix is in need of ALL TYPES of housing and our perimeter has already been subjected to higher density developments, now you want to come directly INTO our small "Island area" with even higher density allowances. I cannot comprehend how that can be defined as Transitional. Just one of these developments will increases the current population by probably more than 300 %. We implore you to protect those that need protecting and VOTE NO to these changes

Respectfully

Richard & Laurel Brodie

25657 N. 17th Avenue

Phoenix AZ 85085

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 78

Public Hearing and Resolution Adoption - General Plan Amendment GPA-DSTV-1-19-2 - Approximately 900 Feet North of the Northeast Corner of Cave Creek Dam Road and Desert Peak Parkway (Resolution 21991)

Request to hold a public hearing on a General Plan Amendment for the following item to consider adopting the Planning Commission's recommendation and the related resolution if approved. This file is a companion case to Z-46-19-2 and must be heard first, followed by Z-46-19-2.

Summary

Current Plan Designation: Residential 2 to 5 dwelling units per acre (1.03 acres), Preserves / Residential 2 to 3.5 / Residential 3.5 to 5 dwelling units per acre (2.18 acres), Parks/Open Space - Future 1 dwelling units per acre (197.23 acres), Parks/Open Space - Public (12.74 acres)
Proposed Plan Designation: Parks/Open Space - Future 1 dwelling unit per acre (118.62 acres), Residential 2 to 3.5 / Residential 5 to 10 dwelling units per acre (94.56 acres)
Acreage: 213.18 acres
Reason for Change: Minor General Pan Amendment to allow a mixture of single-family and multifamily residential development.

Owner: 24th Street and Jomax Road, LLC
Applicant: William E. Lally, Tiffany & Bosco, PC
Representative: William E. Lally, Tiffany & Bosco, PC

Staff Recommendation: Approval.
VPC Info: The Desert View Village Planning Committee heard the case on May 4, 2021 for information only.
VPC Action: The Desert View Village Planning Committee heard the case on Dec. 7, 2021 and recommended approval by a vote of 11-0.
PC Action: The Planning Commission heard the case on Jan. 6, 2022 and recommended approval, per the Addendum A Staff Report, by a vote of 6-2.

Location

Approximately 900 feet north of the northeast corner of Cave Creek Dam Road and

Desert Peak Parkway.
Council District: 2
Parcel Addresses: N/A

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED RESOLUTION

RESOLUTION _____

A RESOLUTION ADOPTING AN AMENDMENT TO THE 2015 GENERAL PLAN FOR PHOENIX, APPLICATION GPA-DSTV-1-19-2, CHANGING THE LAND USE CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN.

_____

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

SECTION 1. The 2015 Phoenix General Plan, which was adopted by Resolution No. 21307, is hereby amended by adopting GPA-DSTV-1-19-2. The 213.18 acres of property located approximately 900 feet north of the northeast corner of Cave Creek Dam Road and Desert Peak Parkway is designated as 118.62 acres of Parks/Open Space - Future 1 dwelling unit per acre and 94.56 acres of Residential 2 to 3.5 / Residential 5 to 10 dwelling units per acre.

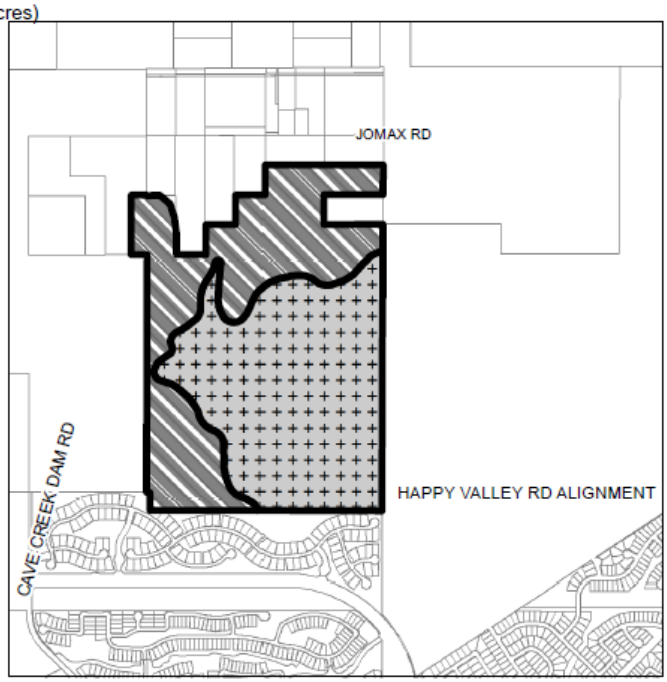
SECTION 2. The Planning and Development Director is instructed to modify the 2015 Phoenix General Plan to reflect this land use classification change as shown below:

DRAFT

PROPOSED CHANGE:

Parks/Open Space - Future 1 du/ac (118.62 +/- Acres)
Residential 2 to 3.5 du/ac /Residential 5 to 10 du/ac (94.56 +/- Acres)

Proposed Change Area
Residential 2 to 3.5 du/ac / 5 to 10 du/ac
Parks/Open Space - Future 1 du/ac



PASSED by the Council of the City of Phoenix this 2nd day of February, 2022.

_____
MAYOR

ATTEST:

_____
Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:
_____
_____

REVIEWED BY:

_____
Jeffrey Barton, City Manager

DRAFT

Attachment B

City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

GENERAL PLAN AMENDMENT
STAFF ANALYSIS
December 6, 2021

Application:	GPA-DSTV-1-19-2
Owner:	24th Street and Jomax Road, LLC
Applicant/Representative:	William E. Lally, Tiffany & Bosco, PA
Location:	Approximately 900 feet north of the northeast corner of Cave Creek Dam Road and Desert Peak Parkway
Acreage:	217.86 acres
Current Plan Designation:	Residential 2 to 5 dwelling units per acre (1.50 acres), Preserves / Residential 2 to 3.5 / Residential 3.5 to 5 dwelling units per acre (2.19 acres), Future Parks/Open Space or 1 dwelling unit per acre (201.01 acres), Public Parks/Open Space (13.16 acres)
Requested Plan Designation:	Future Parks/Open Space or 1 dwelling unit per acre (122.42 acres), Residential 2 to 3.5 / Residential 5 to 10 dwelling units per acre (95.44 acres)
Reason for Requested Change:	Amend the General Plan Land Use Map to allow a mixture of single-family and multifamily residential development
Desert View Village Planning Committee Meeting Date:	December 7, 2021
Staff Recommendation:	Approval

FINDINGS:

1) The companion rezoning case, Z-46-19-2, proposes to donate a minimum of 120 acres to the Parks and Recreation Department as an addition to the Phoenix Mountain Preserve or a desert park.

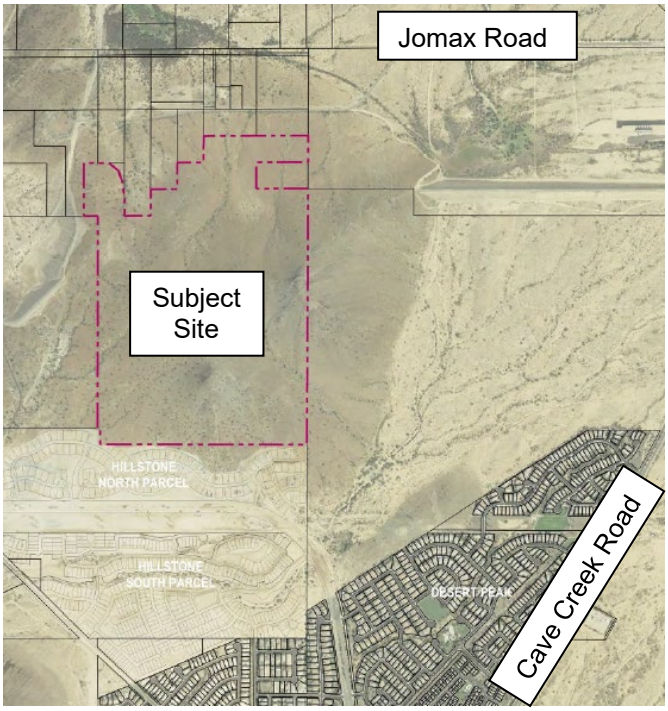
2) The proposal for Residential 2 to 3.5 dwelling units per acre / Residential 5 to 10 dwelling units per acre will allow for a mix of residential products, as proposed by the companion rezoning case, Z-46-19-2. The proposal for Future Parks/Open Space or one dwelling unit per acre supports the future, intended use of the land for a preserve or desert park. The proposal balances the need for additional housing, while retaining and preserving the desert landscape, as outlined in the North Land Use Plan and Sonoran Preserve Master Plan.

3) The companion rezoning case, Z-46-19-2, incorporates development standards that will maintain an appropriate scale and character with land uses in the surrounding area.

BACKGROUND

The subject site is located approximately 900 feet north of the northeast corner of Cave Creek Dam Road and Desert Peak Parkway. The site is currently vacant, but is used privately for various recreational activities.

GPA-DSTV-1-19-2 proposes a minor amendment to the General Plan Land Use Map to allow a mix of residential densities, while preserving most of the site as open space. The companion rezoning case, Z-46-19-2, proposes a Planned Unit Development (PUD) to allow a mix of single-family and multifamily development, not to exceed a maximum of 250 dwelling units. The proposed PUD Development Narrative includes development, landscaping, and design standards that exceed Zoning Ordinance standards and provide appropriate edge treatments for adjacent developments.



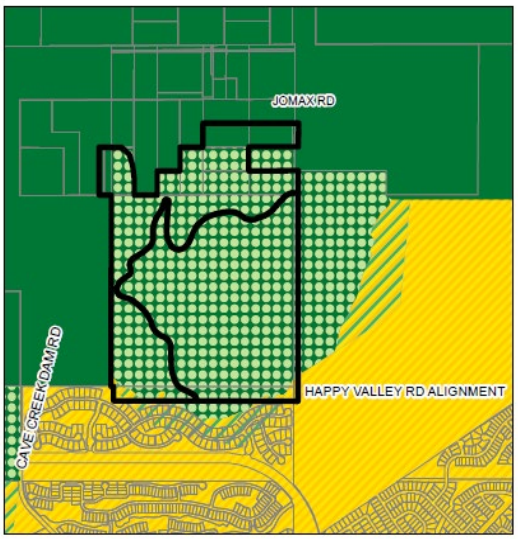
Aerial Map, Source: Hilgart Wilson

The site is located approximately 0.85 miles from Cave Creek Road. An increase in intensity on a portion of the site will support future transit along Cave Creek Road and connect residents to existing and future employment, housing, and services in the area.

SURROUNDING LAND USES

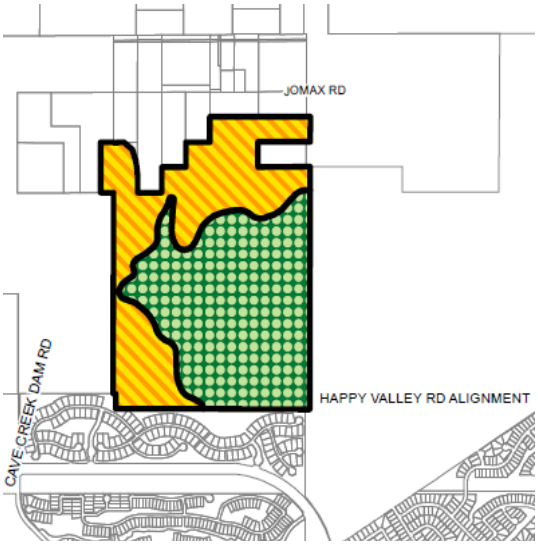
The current General Plan Land Use Map designations for the site are Residential 2 to 5 dwelling units per acre, Preserves / Residential 2 to 3.5 / Residential 3.5 to 5 dwelling units per acre, Future Parks/Open Space, and Public Parks/Open Space.

EXISTING

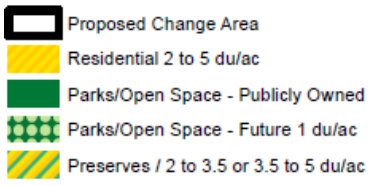


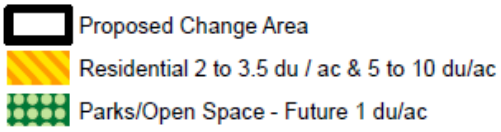
Residential 2 to 5 (1.50 +/- Acres)
Preserves / Residential 2 to 3.5 / 3.5 to 5 (2.19 +/- Acres)
Parks/Open Space - Future (201.01 +/- Acres)
Parks/Open Space - Public (13.16 +/- Acres)

PROPOSED



Parks/Open Space - Future 1 du/ac (122.42 +/- Acres)
Residential 2 to 3.5 du/ac and Residential 5 to 10 du/ac (95.44 +/- Acres





Existing and Proposed General Land Use Designation Maps, Source: City of Phoenix Planning and Development Department

GPA-DSTV-1-19-2 proposes to change the Land Use Map designations to Future Parks/Open Space or 1 dwelling unit per acre and Residential 2 to 3.5 / Residential 5 to 10 dwelling units per acre. The Future Parks/Open Space of 1 dwelling unit per acre designation is intended for the more sloped and hillside portion of the site. This

portion is intended to be preserved and donated to the City as an addition to the Phoenix Mountain Preserve or a desert park. The Residential 2 to 3.5 / Residential 3.5 to 5 dwelling units per acre designation is cross hatched to allow flexibility in placement of units while preserving natural areas.

NORTH

North of the northern boundary of the subject site is the Cave Buttes Recreation Area, a park that is overseen by the Maricopa County Flood Control District. This area contains a number of dams that control flooding from washes in the general area. This area is designated Publicly Owned Parks/Open Space.

EAST

East of the subject site is a portion of Cave Buttes Recreation Area and vacant land that is owned by the Arizona State Land Department (AZSLD). This area directly east of the subject site is designated Publicly Owned Parks/Open Space, Future Parks/Open Space or 1 dwelling unit per acre, and Residential 2 to 5 dwelling units per acre.

SOUTH

South of the subject site is a single-family residential development designated Preserves / Residential 2 to 3.5 / Residential 3.5 to 5 dwelling units per acre, Future Parks/Open Space or 1 dwelling unit per acre, and Residential 2 to 5 dwelling units per acre. The Hillstone North and Hillstone South subdivisions are subject to Rezoning Case No. Z-43-02, which rezoned the subdivisions to R1-18 and R1-6, respectively. The PUD development narrative for the companion Rezoning Case No. Z-46-19-2 contains perimeter standards which will act as a buffer between the proposed development and the existing subdivisions to the south.

WEST

West of the subject site is the Cave Buttes Recreation Area designated as Publicly Owned Parks/Open Space. The Cave Buttes Dam, a dry dam to prevent flooding in north Phoenix, is also located west of the subject site. A small portion west of the site and part of the Hillstone North subdivision is designated Residential 2 to 5 dwelling units per acre.

RELATIONSHIP TO GENERAL PLAN CORE VALUES AND PRINCIPLES

CONNECT PEOPLE & PLACES CORE VALUE

- **OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.**

As proposed, GPA-DSTV-1-19-2 will preserve the majority of the site as open space and allow for an increase in intensity along the remaining portion of the site that is respectful of local conditions. Companion case, Z-46-19-2, incorporates appropriate development standards that are compatible with surrounding neighborhoods.

- **BUILD THE SUSTAINABLE DESERT CITY; LAND USE PRINCIPLE: Promote land uses that preserve Phoenix's natural open spaces.**

  As proposed, GPA-DSTV-1-19-2 will preseve the majority of the site as open space. The companion rezoning case, Z-46-19-2, proposes to donate a minimum of 120 acres to the Parks and Recreation Department as an addition to the Phoenix Mountain Preserve or a desert park.

CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS

- **DIVERSE NEIGHBORHOODS; LAND USE PRINCIPLE: Include a mix of housing types and densities where appropriate within each village that support a broad range of lifestyles.**

  The proposed General Plan Land Use Map amendment and concurrent rezoning case will allow for a mix of housing types and residential densities at the subject site. These will be compatible in scale, design, and appearance to development in the surrounding area. Furthermore, the diverse housing products will support a broad range of lifestyles for Phoenix residents.

CONCLUSION AND RECOMMENDATION

Staff recommends approval of GPA-DSTV-1-19-2, as Future Parks/Open Space or 1 dwelling unit per acre and Residential 2 to 3.5 / Residential 5 to 10 dwelling units per acre. This General Plan Amendment request and concurrent case Z-46-19-2 will allow a mixture of single-family and multifamily residential development, not to exceed 250 units. The proposal will further the City's goals of providing a mix of housing types while respecting neighborhood character. The proposed change to Future Parks/Open Space or 1 dwelling unit per acre will support that 120 acres of the site will be retained as park/open space to be donated to the Parks and Recreation Department. Additionally, the proposed change to Residential 2 to 3.5 / Residential 5 to 10 dwelling units per acre will allow increased density in close proximity to Cave Creek Road.

Writer
Julianna Pierre
December 6, 2021

Team Leader
Samantha Keating

Exhibits
Sketch Maps (2 pages)

GENERAL PLAN AMENDMENT

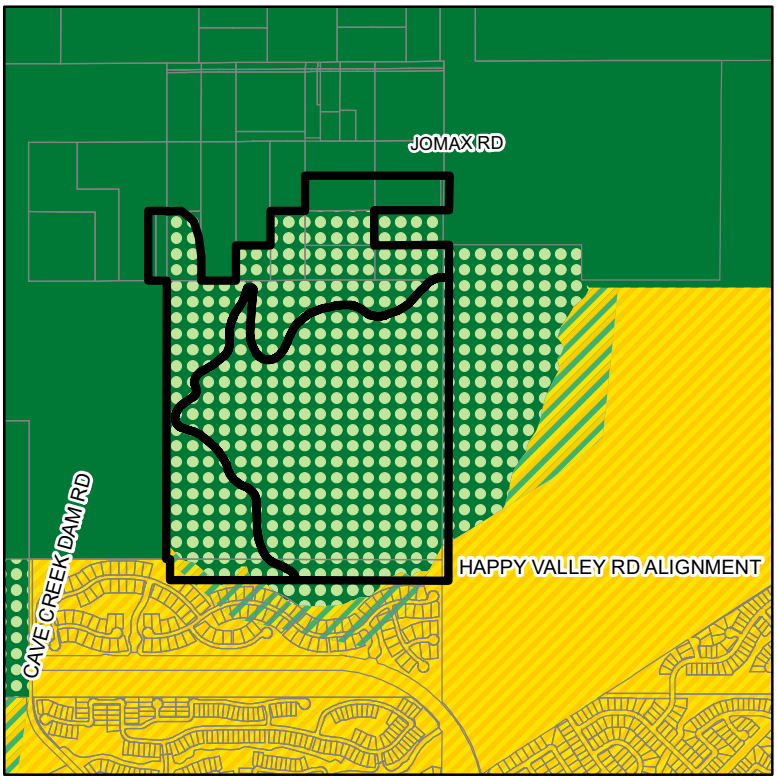
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-DSTV-1-19-2	ACRES: 217.86 +/-
VILLAGE: Desert View	COUNCIL DISTRICT: 2
APPLICANT: William E Lally	

EXISTING:

Residential 2 to 5 (1.50 +/- Acres)
Preserves / Residential 2 to 3.5 / 3.5 to 5 (2.19 +/- Acres)
Parks/Open Space - Future (201.01 +/- Acres)
Parks/Open Space - Public (13.16 +/- Acres)

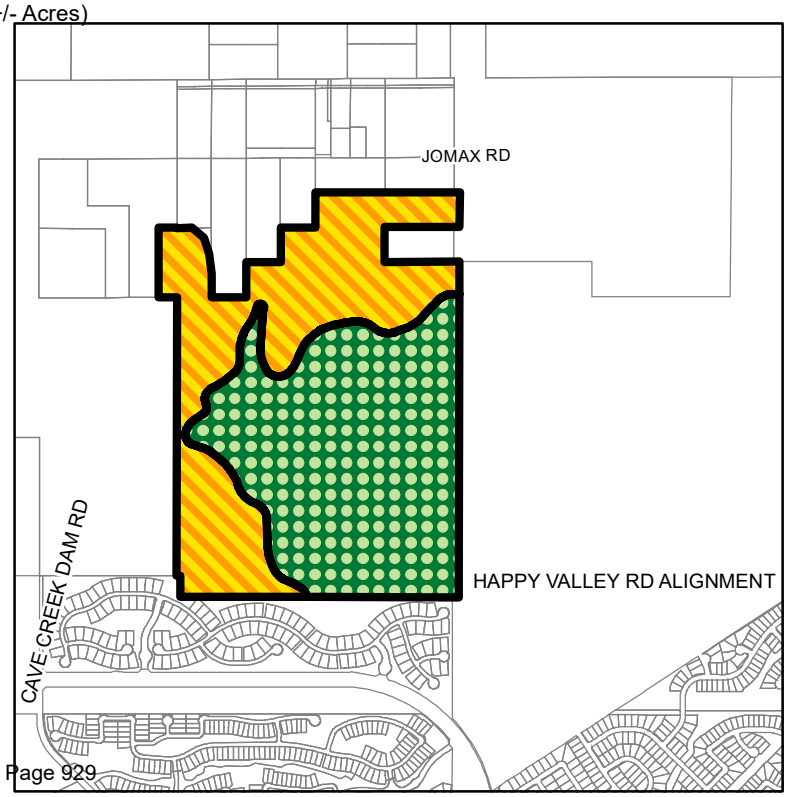
Proposed Change Area
Residential 2 to 5 du/ac
Parks/Open Space - Publicly Owned
Parks/Open Space - Future 1 du/ac
Preserves / 2 to 3.5 or 3.5 to 5 du/ac



PROPOSED CHANGE:

Parks/Open Space - Future 1 du/ac (122.42 +/- Acres)
Residential 2 to 3.5 du/ac and Residential 5 to 10 du/ac (95.44 +/- Acres)

Proposed Change Area
Residential 2 to 3.5 du / ac & 5 to 10 du/ac
Parks/Open Space - Future 1 du/ac



GENERAL PLAN AMENDMENT

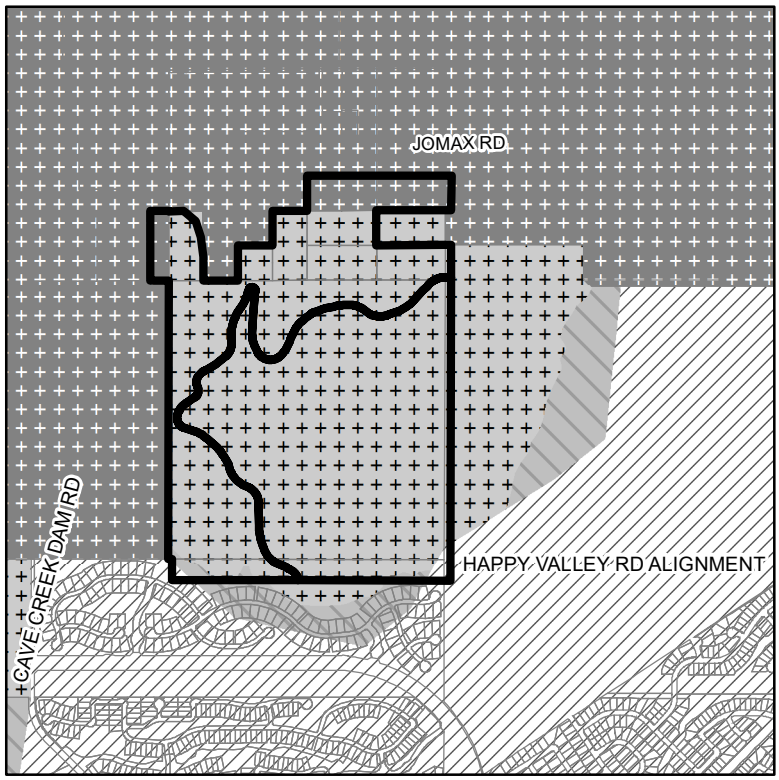
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-DSTV-1-19-2_BW	ACRES: 217.86 +/-
VILLAGE: Desert View	COUNCIL DISTRICT: 2
APPLICANT: William E Lally	

EXISTING:

Residential 2 to 5 (1.50 +/- Acres)
Preserves / Residential 2 to 3.5 / 3.5 to 5 (2.19 +/- Acres)
Parks/Open Space - Future (201.01 +/- Acres)
Parks/Open Space - Public (13.16 +/- Acres)

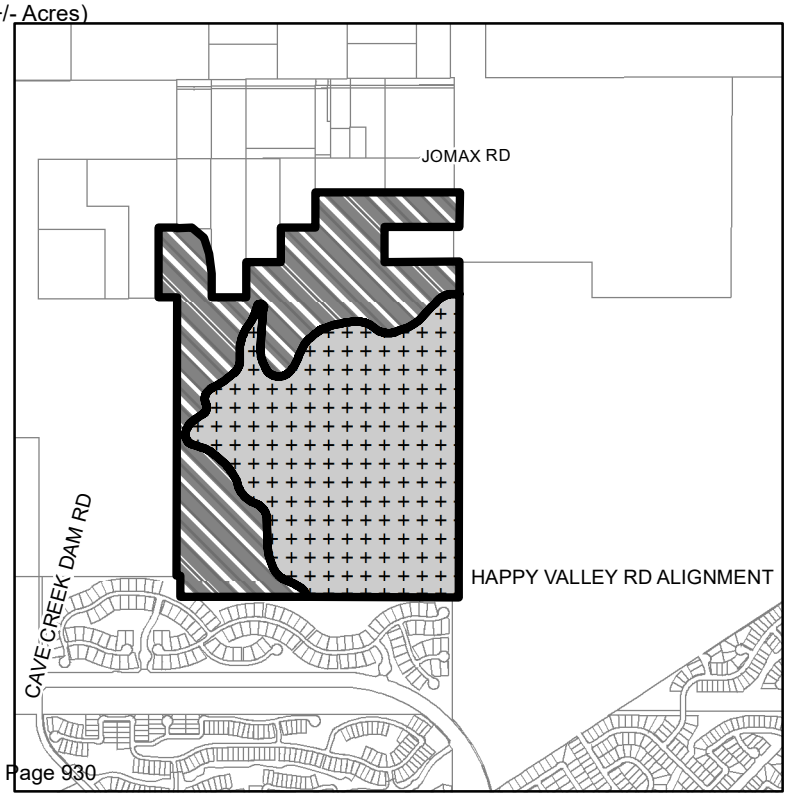
Proposed Change Area
Residential 2 to 5 du/acre
Parks/Open Space - Publicly Owned
Parks/Open Space - Future 1 du
Preserves / 2-3.5 or 3.5-5 du/acre



PROPOSED CHANGE:

Parks/Open Space - Future 1 du/ac (122.42 +/- Acres)
Residential 2 to 3.5 du/ac and Residential 5 to 10 du/ac (95.44 +/- Acres)

Proposed Change Area
Residential 2 to 3.5 du / acre & 5 to 10 du/acre
Parks/Open Space - Future 1 du



Desert View
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
GPA-DSTV-1-19-2
(INFORMATION ONLY)

Date of VPC Meeting	May 4, 2021
Request From	Residential 2 to 5 dwelling units per acre, Preserves/Residential 2 to 3.5 and 3.5 to 5 dwelling units per acre, Parks/Open Space – Future 1 dwelling unit per acre, and Parks/Open Space – Publicly Owned
Request To	Residential 1 to 2 dwelling units per acre
Proposed Use	Mixture of single-family and multifamily residential (not to exceed 250 units)
Location	Approximately 900 feet north of the northeast corner of Cave Creek Dam Road and Desert Peak Parkway

VPC DISCUSSION:

3 persons indicated that they wished to speak.

Bill Lally, representative with Tiffany and Bosco, provided information about the site and the surrounding area. He explained that the site is approximately 213 acres in total, but the majority is hillside (approximately 130-150 acres) and will be donated to the City of Phoenix's Parks and Recreation Department. He explained that the areas below the 10% slope will be developed as single-family and multifamily residential. He stated that the developable area of the site will also have open space with community amenities. He added that the proposed development would be similar to other existing developments in the area, such as Fireside at Norterra, Aviano by Toll Brothers, and Fireside at Desert Ridge.

Jason Israel, asked how many units will be built on site. **Bill Lally** stated that the developer anticipated a maximum of 250 units, with a target of 239 units.

Jason Israel asked if a traffic study was completed. **Bill Lally** stated that a traffic study was completed and that all access points to the proposed development could accommodate the additional traffic flow.

Chair Steven Bowser asked for clarification about impact fees. **Bill Lally** explained that there are impact fees in the area, but those fees may not take into account all of the needs in the area. He stated that the developer is working with City staff to determine the needs of the area and how the development will help pay for those needs.

Joseph Barto asked about future meetings and community involvement. **Bill Lally** stated that an initial neighborhood meeting was held, but no community members attended. He stated that there will be a second neighborhood meeting in the coming weeks and expects increased engagement.

Rick Nowell asked for clarification regarding the acreage donated to Parks and Recreation. **Bill Lally** explained that design, access, amenities, and security will be determined by the Parks and Recreation Department.

Jill Hankins asked if Desert Peak Parkway will connect to 7th Street or Happy Valley Road. **Bill Lally** explained that the Street Classification Map depicts a connection between Pinnacle Peak Road and Happy Valley Road to the west.

Jill Hankins asked if the City has a Hillside Ordinance. **Bill Lally** stated that the City does have a Hillside Ordinance, which essentially states that areas with less than a 10% slope can be developed using standard subdivision regulations. He added that development on areas with greater than 10% slope would require a disturbance waiver.

Gary Kirkilas, a member of the community, asked if the property abuts the Sonoran Preserve or Cave Buttes Recreation Area and whether edge treatments would be implemented. **Bill Lally** stated that he would follow up to this question after determining whether the site is directly adjacent to the preserve or recreation area.

Gary Kirkilas asked for clarification regarding the infrastructure limit line. **Bill Lally** stated that when developing outside an area with existing infrastructure, a waiver would be required, but the proposed development would not require any waivers. He added that over the past year the developer's engineering team determined how to bring utility infrastructure to the site.

Michelle Butler, a community member who lives adjacent to the site, stated that the proposed development would be directly adjacent to the North View at Stone Butte community. She stated that the existing subdivision is gated, but people already think that their neighborhood is part of the preserve and have faced numerous security issues. She added that the preserve donation is positive in theory, but there would need to be a clear separation from the existing communities. **Bill Lally** stated that the proposed development would be exclusive and the proposed preserve would be a secured public asset with limited access. He stated that there could also be signage along Cave Creek Road and Desert Peak Parkway to direct people to the appropriate access point.

Dennis Hasenbank, a member of the Stone Butte community, stated that he was originally interested in the area because of the lower density and open space. He expressed concerns with higher density, higher activity, and security.

STAFF COMMENTS:

Staff has no comments.

Desert View
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
GPA-DSTV-1-19-2

Date of VPC Meeting	December 7, 2021
Current Plan Designation	Residential 2 to 5 dwelling units per acre (1.03 acres), Preserves / Residential 2 to 3.5 / Residential 3.5 to 5 dwelling units per acre (2.18 acres), Future Parks/Open Space or 1 dwelling unit per acre (197.23 acres), Public Parks/Open Space (12.74 acres)
Requested Plan Designation	Future Parks/Open Space or 1 dwelling unit per acre (118.62 acres), Residential 2 to 3.5 / Residential 5 to 10 dwelling units per acre (94.56 acres)
Reason for Requested Change	Amend the General Plan Land Use Map to allow a mixture of single-family and multifamily residential development
Location	Approximately 900 feet north of the northeast corner of Cave Creek Dam Road and Desert Peak Parkway
VPC Recommendation	Approval
VPC Vote	11-0

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

This item was heard concurrently with Item #8 – Z-46-19-2.

2 persons indicated that they wished to speak.

Julianna Pierre provided information regarding the location of the site, surrounding zoning, and general plan land use designation. She stated that there are two proposals, a General Plan Amendment (GPA) and rezoning request. She stated that the GPA request is to amend the General Plan Land Use Map from Residential 2 to 5 dwelling units per acre, Preserves / Residential 2 to 3.5 and 3.5 to 5 dwelling units per acre, Parks / Open Space – Future or 1 dwelling unit per acre, and Parks / Open Space – Publicly Owned to Parks / Open Space – Future or 1 dwelling unit per acre and Residential 2 to 3.5 and 5 to 10 dwelling units per acre. She stated that the rezoning request is to rezone the property from S-1 (Ranch or Farm Residence) to Planned Unit Development (PUD). She stated that the proposal is to allow a mixture of single-family and multifamily residential.

Julianna Pierre stated that the development is proposing two land uses. Approximately 95 acres of the site is below the 20% hillside slope line and will be

developed with a mix of single-family and multifamily residential, not to exceed 250 units. The remaining approximately 120 acres will be donated to the Parks and Recreation Department as an addition to the Phoenix Mountain Preserve or a desert park. She also reviewed the permitted uses and development standards. She also discussed how the site is within the boundaries of the North Land Use Plan and the Sonoran Preserve Master Plan and how the PUD proposes to align with those plans.

Julianna Pierre reviewed the staff findings and stipulations. She noted that GPA-DSTV-1-18-2 did not have any stipulations and the stipulations reviewed were for Z-46-19-2. She added that staff recommended approval for GPA-DSTV-1-18-2 and recommended approval, subject to stipulations for Z-46-19-2. She stated that staff had not received any community correspondence.

John Oliver, representative with Tiffany & Bosco, discussed the site and conceptual land uses. He noted that 5% of the approximately 95 acres of the site below the 20% slope line will be utilized as common open space. He also discussed the development standards for the single-family attached, single-family detached, and multifamily areas of the site. He also discussed how the proposed development is similar with the surrounding area. He stated that the site will have additional amenities including pedestrian access to mountain preserves, ramadas with trellises, seating and gathering areas, picnic areas, and playgrounds. He also discussed the hillside and wash edge treatment guidelines.

Vice Chair Louis Lagrave stated that since this development is south of Jomax Road he had no concerns with the proposed density.

Committee member Jill Hankins stated that there needs to be a connection to 7th Street and asked about the plans for Jomax Road. **Nguyen Lam**, representative with Hilgart Wilson, stated that there are no plans to improve the Jomax Road alignment. **Committee member Jill Hankins** stated that there should be an additional stipulation requiring a connection to 7th Street. **John Oliver** stated that the developer had completed a traffic impact statement, which was routed to the Street Transportation Department. **Julianna Pierre** stated that the Street Transportation Department recommended a stipulation requiring the developer to complete a Traffic Impact Study which will determine the necessary dedications and infrastructure improvements. She added that stipulations cannot be added that tie a particular development to any larger traffic improvements that are offsite.

Committee member Michelle Santoro expressed concerns because the land use plan lacked detail. **John Oliver** stated that the developer did not have a builder, so the standards provided were crafted to allow flexibility. He added that there is no percentage specified for multifamily and single-family, but there will be a maximum of 250 units. He added that a minimum 120 acres of the site will be donated to the City's Parks and Recreation Department.

Bob Thompson, a member of the public, stated that the site is too dense with 250 units on the developable area. He expressed concerns with the project being directly adjacent to Sonoran Desert areas.

Scott Coll, a member of the public, expressed concerns with the single point of proposed access to the site which would impact police and fire department response times.

Vice Chair Louis Lagrave reiterated the positives of the proposed development, which were the site adjoining other existing developments, a 120-acre donation, and the northernmost edge of the development abutting, but not extending into the adjacent recreation areas.

Committee member Rick Powell stated that this is the natural progression of development and the proposal makes sense since it is adjacent to other developed areas.

MOTION: Vice Chair Louis Lagrave made a motion to approve GPA-DSTV-1-19-2, as presented by staff. The motion was seconded by **Committee member Rick Powell**.

VOTE: 11-0 with Committee Members Bowser, Lagrave, Barto, Hankins, Kollar, Neely, Nowell, Powell, Santoro, Warren, and Younger in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

None.

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

ADDENDUM A
General Plan Amendment Staff Analysis
GPA-DSTV-1-19-2
December 21, 2021

Desert View Village Planning Committee Meeting Date	December 7, 2021
Planning Commission Hearing Date	January 6, 2022
Current Plan Designation	Residential 2 to 5 dwelling units per acre (1.03 acres), Preserves / Residential 2 to 3.5 / Residential 3.5 to 5 dwelling units per acre (2.18 acres), Parks/Open Space - Future / 1 dwelling unit per acre (197.23 acres), Parks/Open Space - Public (12.74 acres)
Requested Plan Designation	Parks/Open Space - Future / 1 dwelling unit per acre (118.62 acres), Residential 2 to 3.5 / Residential 5 to 10 dwelling units per acre (94.56 acres)
Reason for Requested Change	Amend the General Plan Land Use Map to allow a mixture of single-family and multifamily residential development
Location	Approximately 900 feet north of the northeast corner of Cave Creek Dam Road and Desert Peak Parkway
Owner	24th Street and Jomax Road, LLC
Applicant	William E Lally, Tiffany & Bosco, PA
Representative	William E Lally, Tiffany & Bosco, PA
Staff Recommendation	Approval

On May 4, 2021, the Desert View Village Planning Committee heard this request as an information only item. On December 7, 2021, the Desert View Village Planning Committee heard this request and recommended approval by a vote of 11-0.

The purpose of this addendum is to revise an error in the acreage calculated for the case and subsequently included in the staff report. The original acreage was incorrectly calculated at 217.86 acres when the east side of the site boundary was aligned with a zoning boundary further east. The amendment area has been remapped correctly to align with the property boundary, and the revised acreage of the site is 213.18 acres.

Additionally, the acreages for the existing and requested plan designations were corrected, as noted above. Staff is supportive of the request per the revised acreages.

Exhibits
Revised Sketch Maps (2 pages)

GENERAL PLAN AMENDMENT

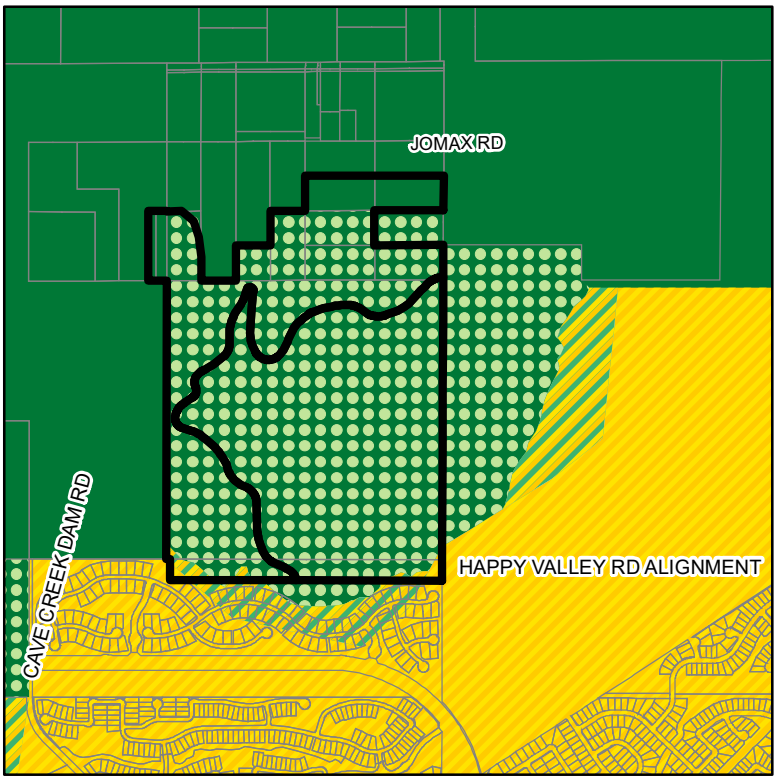
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-DSTV-1-19-2	ACRES: 213.18 +/-	REVISION DATE
VILLAGE: Desert View	COUNCIL DISTRICT: 2	12/10/2021
APPLICANT: William E Lally		

EXISTING:

Residential 2 to 5 (1.03 +/- Acres)
Preserves/Residential 2 to 3.5 / 3.5 to 5 (2.18 +/- Acres)
Parks/Open Space - Future 1 du/ac (197.23 +/- Acres)
Parks/Open Space - Public (12.74 +/- Acres)

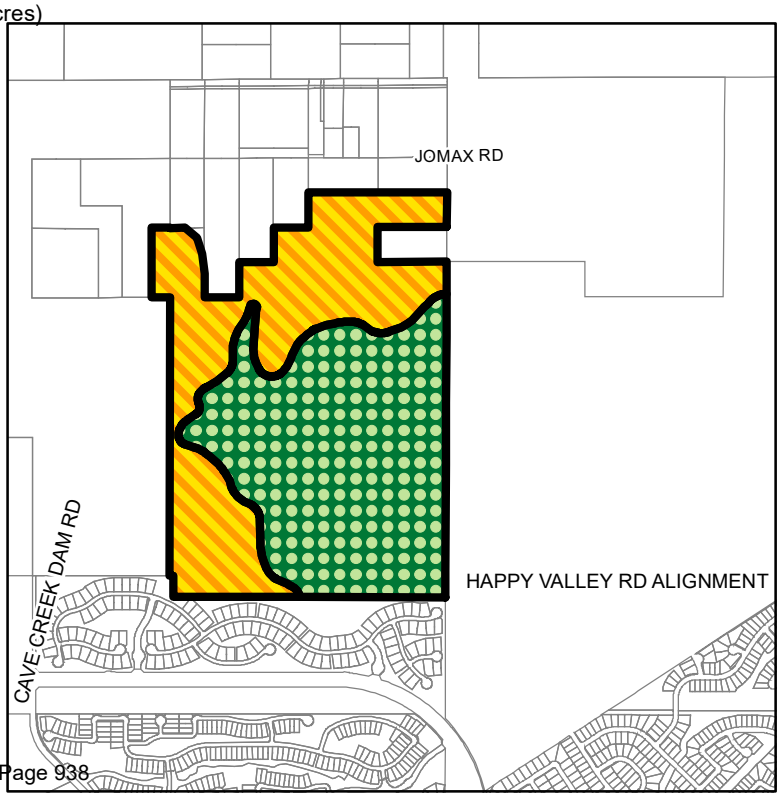
Proposed Change Area
Residential 2 to 5 du/ac
Parks/Open Space - Publicly Owned
Parks/Open Space - Future 1 du/ac
Preserves / 2 to 3.5 or 3.5 to 5 du/ac



PROPOSED CHANGE:

Parks/Open Space - Future 1 du/ac (118.62 +/- Acres)
Residential 2 to 3.5 du/ac /Residential 5 to 10 du/ac (94.56 +/- Acres)

Proposed Change Area
Residential 2 to 3.5 du/ac / 5 to 10 du/ac
Parks/Open Space - Future 1 du/ac



GENERAL PLAN AMENDMENT

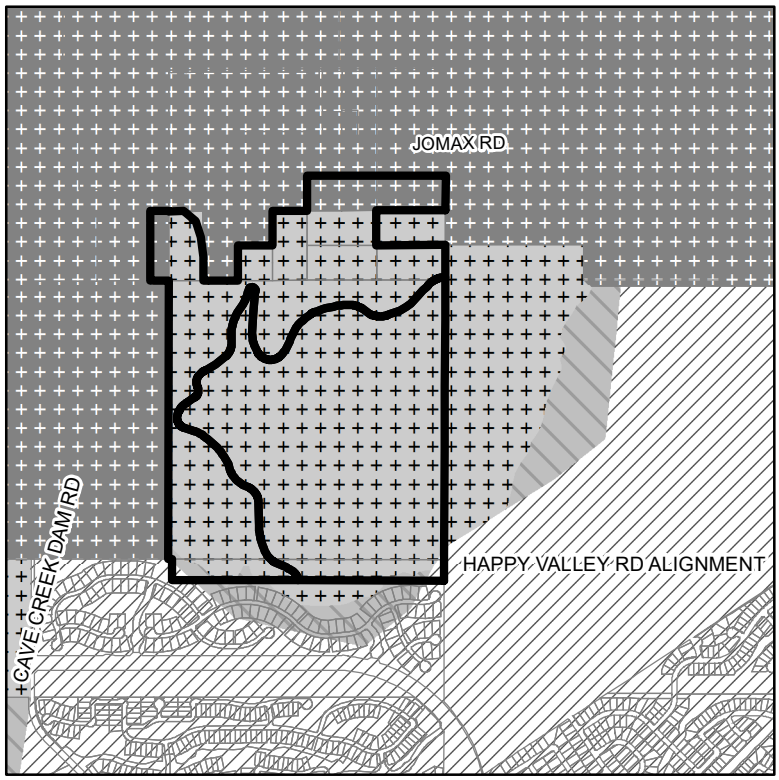
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-DSTV-1-19-2_BW	ACRES: 213.18 +/-	REVISION DATE
VILLAGE: Desert View	COUNCIL DISTRICT: 2	12/10/2021
APPLICANT: William E Lally		

EXISTING:

Residential 2 to 5 (1.03 +/- Acres)
Preserves/Residential 2 to 3.5 / 3.5 to 5 (2.18 +/- Acres)
Parks/Open Space - Future 1 du/ac (197.23 +/- Acres)
Parks/Open Space - Public (12.74 +/- Acres)

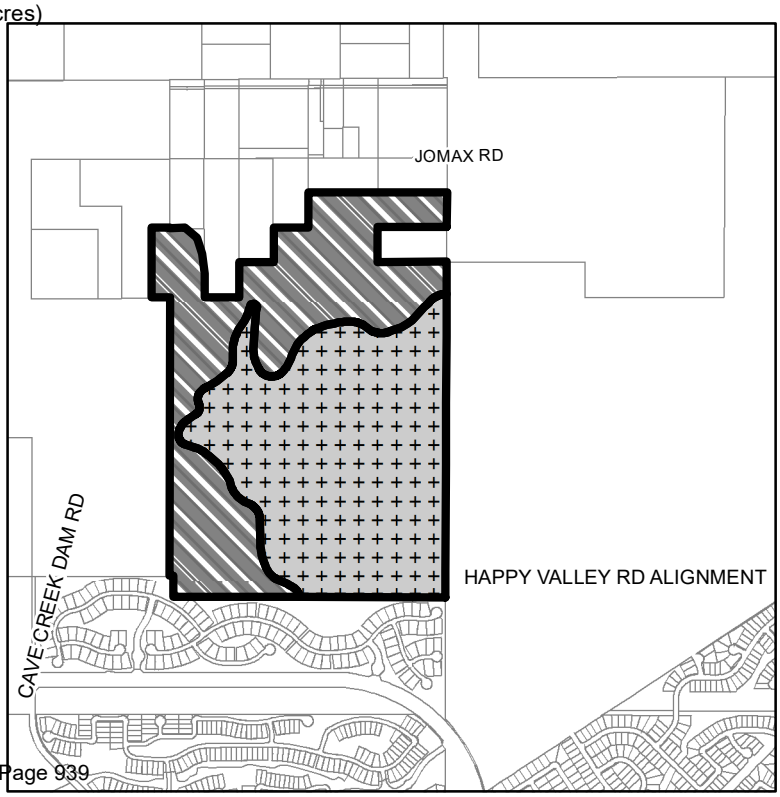
Proposed Change Area
Residential 2 to 5 du/acre
Parks/Open Space - Publicly Owned
Parks/Open Space - Future 1 du/ac
Preserves / 2-3.5 or 3.5-5 du/acre



PROPOSED CHANGE:

Parks/Open Space - Future 1 du/ac (118.62 +/- Acres)
Residential 2 to 3.5 du/ac /Residential 5 to 10 du/ac (94.56 +/- Acres)

Proposed Change Area
Residential 2 to 3.5 du/ac / 5 to 10 du/ac
Parks/Open Space - Future 1 du/ac



Attachment F

REPORT OF PLANNING COMMISSION ACTION
January 6, 2022

ITEM NO: 4	
	DISTRICT NO.: 2
SUBJECT:	
Application #:	GPA-DSTV-1-19-2
Request:	Map Amendment
Location:	Approximately 900 feet north of the northeast corner of Cave Creek Dam Road and Desert Peak Parkway
From:	Residential 2 to 5 dwelling units per acre, Preserves/Residential 2 to 3.5/3.5 to 5 dwelling units per acre, Parks/Open Space – Future 1 dwelling unit per acre, and Parks/Open Space - Public
To:	Parks/Open Space – Future 1 dwelling unit per acre, and Residential 2 to 3.5/Residential 5 to 10 dwelling units per acre
Acreage:	213.18
Proposal:	A minor General Plan Amendment to allow a mixture of single-family and multifamily residential.
Applicant:	William E. Lally, Tiffany & Bosca, PA
Owner:	24th Street and Jomax Road, LLC
Representative:	William E. Lally, Tiffany & Bosca, PA

ACTIONS:

Staff Recommendation: Approval, per the Addendum A Staff Report.

Village Planning Committee (VPC) Recommendation:
Desert View 5/4/2021 Information only.
Desert View 12/7/2021 Approval. Vote: 11-0.

Planning Commission Recommendation: Approval, per the Addendum A Staff Report.

Motion Discussion: N/A

Motion details: Commissioner Johnson made a MOTION to approve GPA-DSTV-1-19-2, per the Addendum A Staff Report.

Maker: Johnson
Second: Gaynor
Vote: 6-2 (Perez, Bushing)
Absent: Shank
Opposition Present: No

Findings:

1. The companion rezoning case, Z-46-19-2, proposes to donate a minimum of 120 acres to the Parks and Recreation Department as an addition to the Phoenix Mountain Preserve or a desert park.

2. The proposal for Residential 2 to 3.5 dwelling units per acre / Residential 5 to 10 dwelling units per acre will allow for a mix of residential products, as proposed by the

companion rezoning case, Z-46-19-2. The proposal for Future Parks/Open Space or one dwelling unit per acre supports the future, intended use of the land for a preserve or desert park. The proposal balances the need for additional housing, while retaining and preserving the desert landscape, as outlined in the North Land Use Plan and Sonoran Preserve Master Plan.

3. The companion rezoning case, Z-46-19-2, incorporates development standards that will maintain an appropriate scale and character with land uses in the surrounding area.

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 495-5622, TTY use 7-1-1.

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 79

Public Hearing and Ordinance Adoption - Rezoning Application Z-46-19-2 (Sendero Foothills PUD) - Approximately 900 Feet North of the Northeast Corner of Cave Creek Dam Road and Desert Peak Parkway (Ordinance G-6961)

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-46-19-2 and rezone the site from S-1 (Ranch or Farm Residence District) to PUD (Planned Unit Development) to allow a mixture of single-family and multifamily residential. This is a companion case and must be heard following GPA-DSTV-1-19-2.

Summary

Current Zoning: S-1
Proposed Zoning: PUD
Acreage: 213.18 acres
Proposed Use: A mixture of single-family and multifamily residential uses.

Owner: 24th Street and Jomax Road, LLC
Applicant: 24th Street and Jomax Road, LLC
Representative: William E Lally, Tiffany & Bosco, PA

Staff Recommendation: Approval, subject to stipulations.
VPC Info: The Desert View Village Planning Committee heard this case on May 4, 2021 for information only.
VPC Action: The Desert View Village Planning Committee heard this case on Dec. 7, 2021 and recommended approval, per the staff recommendation, by a vote of 11-0.
PC Action: The Planning Commission heard this case on Jan. 6, 2022 and recommended approval, per the Addendum A Staff Report, with an additional stipulation, by a vote of 6-2.

Location

Approximately 900 feet north of the northeast corner of Cave Creek Dam Road and Desert Peak Parkway.
Council District: 2
Parcel Address: N/A

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-46-19-2) FROM S-1 (RANCH OR FARM RESIDENCE DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT).

_____

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

SECTION 1. The zoning of a 213.18-acre site located approximately 900 feet north of the northeast corner of Cave Creek Dam Road and Desert Peak Parkway in a portion of Sections 3 and 10, Township 4 North, Range 3 East, as described more specifically in Exhibit “A”, is hereby changed from “S-1” (Ranch or Farm Residence District) to “PUD” (Planned Unit Development).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit “B”.

SECTION 3. Due to the site’s specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations,

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violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. An updated Development Narrative for the Sendero Foothills PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped November 29, 2021, as modified by the following stipulations:

    a. Front Cover: Revise submittal date information on the cover page as follows:
    1st Submittal: August 8, 2019
    2nd Submittal: February 19, 2021
    3rd Submittal: August 16, 2021
    4th Submittal: November 2, 2021
    Hearing Draft: November 29, 2021
    City Council Adopted: TBD

    b. Update the narrative to reflect a site acreage of 213.18 acres.

    c. Page 10, Section D.1, Development Standards: Add the following under the second paragraph:
        - Maximum dwelling units for the overall PUD area: 250
        - Development will be restricted to slopes of 20% or less

    d. Page 15, Section D.2.iv: Increase live coverage to 75% to be consistent with the live coverage standards for single-family and multifamily development.

    e. Page 17, Section E.2, Site Design: Add the following language, “j. Walkways and trails shall be wide enough, five-foot minimum, to accommodate both pedestrians and bicycle users.”

2. Prior to the issuance of Final Site Plan approval, the landowner shall convey 120 acres (or an area mutually agreed by the city and the owner) of hillside land selected by the City of Phoenix and located in the area as depicted as Tract A of the final plat, to the City of Phoenix for use as a City of Phoenix desert park and/or mountain preserve.

3. The landowner shall work with the City of Phoenix Parks and Recreation Department to determine a maximum of three access sites to the desert park or mountain preserve area prior to issuance of Final Site Plan approval. Access sites shall be located in mutually agreed upon locations by the City of Phoenix

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and the landowner and must be identified and delineated on the Final Site Plan.

4. The developer is required to complete a Traffic Impact Study. Preliminary site plan approval shall not be granted until the study has been approved by the Street Transportation Department.

5. The development shall adhere to the dedications and infrastructure improvements as stipulated in the approved Traffic Impact Study.

6. The developer shall provide the Planning and Development Department with proof of legal access between the development and a public right-of-way prior to final plat approval. This private access shall be sufficient to service a subdivision in accordance to the Subdivision Code in Chapter 32 of the City Code, as approved by the Planning and Development Department.

7. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

8. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

9. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

10. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

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PASSED by the Council of the City of Phoenix this 2nd day of February, 2022.

_____
MAYOR

ATTEST:

_____
Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:
_____
_____

REVIEWED BY:

_____
Jeffrey Barton, City Manager

Exhibits:
A – Legal Description (3 Pages)
B – Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-46-19-2:

A portion of land being situated within Sections 3 and 10, Township 4 North, Range 3 East of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

BEGINNING at a found brass cap flush accepted as the Southeast corner of said Section 3, from which a found PK nail tagged 24513 accepted as the East Quarter corner of said Section 10 bears South 00°08’34” West, 2633.00 feet;
Thence along the east line of said Section 10, South 00°08'34" West, 200.00 feet;
Thence leaving said east line, North 89°55'04" West, 2600.00 feet along a line which is 200.00 feet south of and parallel with the south line of the southeast quarter of said Section 3;

Thence leaving said parallel line, North 00°08'34" East, 200.00 feet to the south line of said Section 3;

Thence along said south line, North 89°55'04" West, 33.14 feet;

Thence leaving said south line, North 00°04'07" East, 2658.61 feet along the west line of the southeast quarter of said Section 3;

Thence leaving said west line, South 89°48'25" West, 175.00 feet along the north line of the southwest quarter of said Section 3;

Thence leaving said north line, North 00°03'56" East, 665.96 feet along a line which is 175.00 feet west of and parallel with the west line of the East half of said Section 3;

Thence North 89°44'41" East, 175.00 feet along the south line of the north 661.12 feet of the Southeast quarter of the Northwest quarter of said Section 3;

Thence leaving said south line, South 00°03'56" West, 2.51 feet, along the west line of the East half of said Section 3,;

Thence North 89°46'41" East, 140.32 feet along the north line of the Southwest quarter of the Southwest quarter of the Northeast quarter of said Section 3;

Thence leaving said north line, South 50°08'45" East, 151.75 feet; Thence South 17°34'03" East, 159.41 feet;
Thence South 07°36'20" East, 186.68 feet;

Thence South 00°05'25" West, 228.80 feet;

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Thence North 89°48'20" East, 330.04 feet along the north line of southeast quarter of said Section 3;

Thence leaving said north line, North 00°06'54" East, 331.98 feet along the east line of the southwest quarter of the southwest quarter of the northeast quarter of said Section 3;

Thence leaving said east line, North 89°47'30" East, 330.18 feet along the north line of the Southwest quarter of the Southeast quarter of the Southwest quarter of the Northeast quarter of said Section 3;

Thence leaving said north line, North 00°08'22" East, 332.06 feet along the east line of the Northwest quarter of the Southeast quarter of the Southwest quarter of the Northeast quarter of said Section 3;

Thence leaving said east line, North 89°46'41" East, 330.33 feet along the north line of the Southeast quarter of the Southwest quarter of the Northeast quarter of said Section 3;

Thence leaving said north line, North 00°09'51" East, 332.14 feet along the east line of the Southwest quarter of the Northeast quarter of said Section 3;

Thence leaving said east line, North 89°45'51" East, 1321.88 feet;

Thence along the east line of said Section 3, South 00°15'45" West, 332.46 feet;

Thence leaving said east line, South 89°46'41" West, 660.66 feet along the north line of the Southeast quarter of the Southeast quarter of the Northeast quarter of said Section 3;

Thence leaving said north line, South 00°12'48" West, 332.30 feet along the west line of the Southeast quarter of the Southeast quarter of the Northeast quarter of said Section 3;

Thence leaving said west line, North 89°47'30" East, 660.37 feet along the north line of the south half of the Southeast quarter of the Southeast quarter of the Northeast quarter of said Section 3;

Thence leaving said north line, South 00°15'45" West, 332.46 feet along said east line of the Northeast quarter of said Section 3 to the east quarter corner threreof;

Thence South 00°13'20" West, 2671.37 feet along the east line of the Southesast quarter of said Section 3 to the POINT OF BEGINNING.

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The above described parcel contains a computed area of 9,286,135 sq. ft. (213.1803 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions

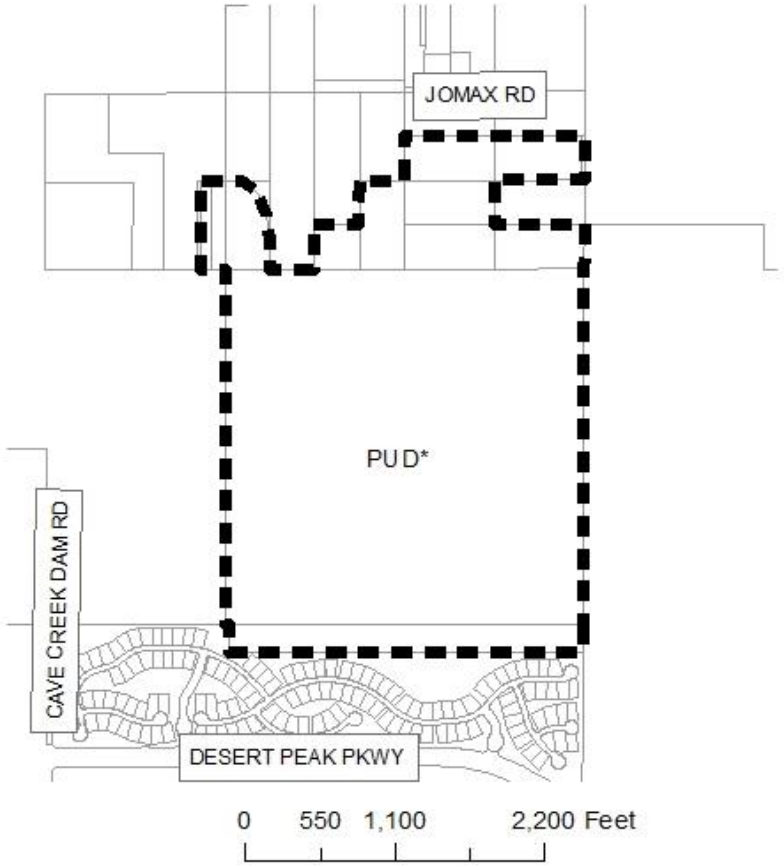
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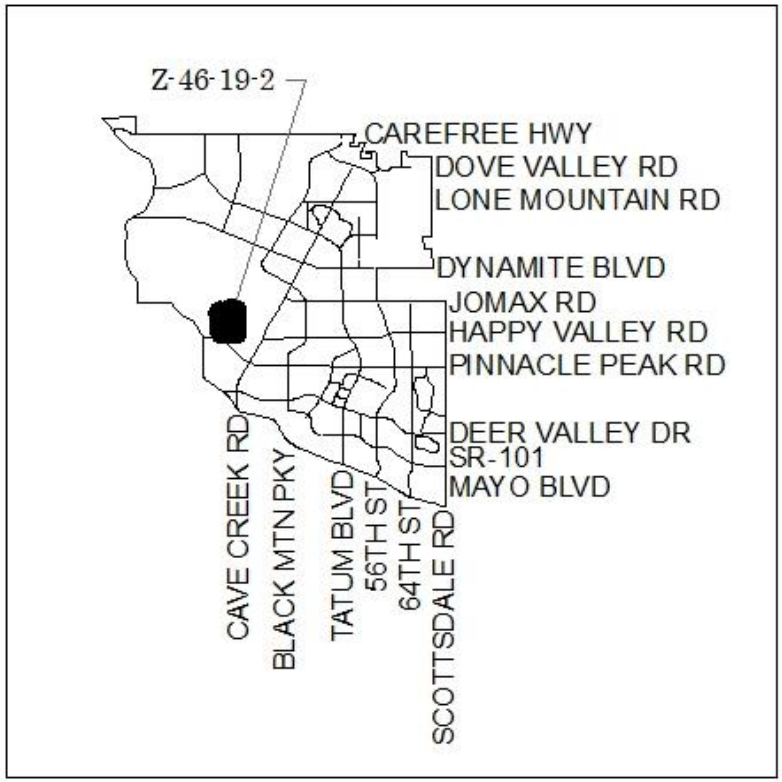
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - -

Zoning Case Number: Z-46-19-2
Zoning Overlay: N/A
Planning Village: Desert View





NOT TO SCALE

N

Drawn Date: 12/28/2021

S:\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\SuppMaps_OrdMaps\2022 Ord\2-2-22\Z-46-19-2.mxd

Attachment B

City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

Staff Report Z-46-19-2
Sendero Foothills PUD
December 6, 2021

Desert View Village Planning Committee Meeting Date:	December 7, 2021
Planning Commission Hearing Date:	January 6, 2022
Request From:	S-1 (217.86 acres)
Request To:	PUD (217.86 acres)
Proposed Use:	Planned Unit Development to allow a mixture of single-family and multifamily residential
Location:	Approximately 900 feet north of the northeast corner of Cave Creek Dam Road and Desert Peak Parkway
Owner:	24th Street and Jomax Road, LLC
Applicant	24th Street and Jomax Road, LLC
Representative	William E Lally, Tiffany & Bosco, PA
Staff Recommendation:	Approval, subject to stipulations

General Plan Conformity	
General Plan Land Use Map Designation	Current: Residential 2 to 5 dwelling units per acre, Preserves / Residential 2 to 3.5 / Residential 3.5 to 5 dwelling units per acre, Future Parks/Open Space or 1 dwelling unit per acre, Public Parks/Open Space Proposed (GPA-DSTV-1-19-2): Future Parks/Open Space or 1 dwelling unit per acre, Residential 2 to 3.5 / Residential 5 to 10 dwelling units per acre

Street Map Classification	Street access to the site will be determined prior to the development of the site.

CONNECT PEOPLE & PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.

The proposed development creates a residential community consistent in scale, design, and appearance to recent developments in the surrounding area. The companion case, GPA-DSTV-19-2, will preserve the majority of the site as open space and allow for an increase in intensity along the remaining portion of the site. Z-46-19-2, proposes to donate a minimum of 120 acres to the City's Parks and Recreation Department as an addition to the Phoenix Mountain Preserve or a desert park. The preservation of native vegetation and protection of the character of the area is consistent with adjacent residential developments which are in close proximity to various open and park spaces.

CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Promote and encourage compatible development and redevelopment with a mix of housing types in neighborhoods close to employment centers, commercial areas, and where transit or transportation alternatives exist.

The proposal will provide additional housing choices within approximately 0.85 miles of Cave Creek Road. An increase in intensity on a portion of the site will support future transit along Cave Creek Road and connect residents to existing and future employment, housing, and services in the area.

CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS CORE VALUE; DIVERSE NEIGHBORHOODS; LAND USE PRINCIPLE: Include a mix of housing types and densities where appropriate within each village that support a broad range of lifestyles.

The proposed General Plan Land Use Map amendment and concurrent rezoning case will allow for a mix of housing types and residential densities at the subject site. These will be compatible in scale, design, and appearance to development in the surrounding area. Furthermore, the diverse housing products will support a broad range of lifestyles for Phoenix residents.

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREES & SHADE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.

The development proposes five-foot detached sidewalks with a five-foot landscaped area between the back of curb and sidewalk to allow for mature trees. This will help to minimize the urban heat island effect, improve thermal comfort, and encourage pedestrians to walk within the development.

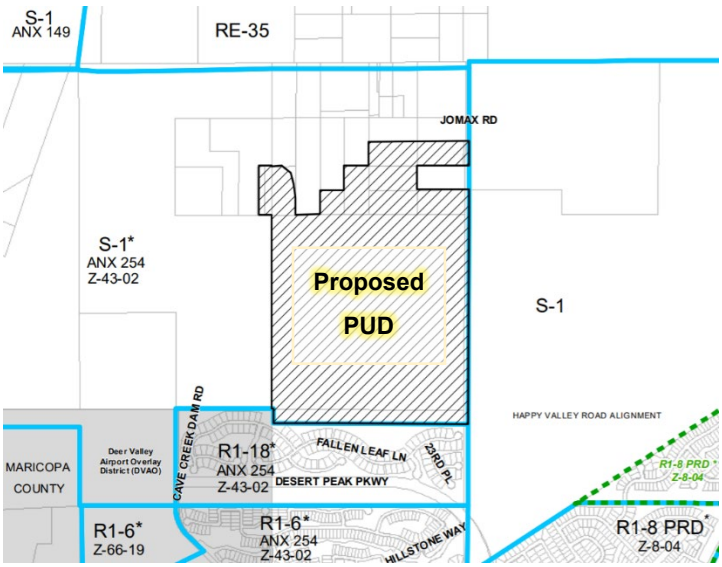
Applicable Plans, Overlays, and Initiatives
North Land Use Plan: See Background Item No. 4.
Sonoran Preserve Master Plan: See Background Item No. 5.
Tree and Shade Master Plan: See Background Item No. 14.
Complete Streets Guiding Principles: See Background Item No. 15.
Comprehensive Bicycle Master Plan: See Background Item No. 16.
Housing Phoenix: See Background Item No. 17.
Zero Waste PHX: See Background Item No. 18.

Surrounding Land Uses/Zoning		
	Land Use	**Zoning**
On Site	Vacant	S-1
North	Cave Buttes Recreation Area	S-1
West	Cave Buttes Recreation Area, Cave Buttes Dam	S-1
East	Vacant (State Trust Land)	S-1
South	Single-Family Residential	R1-18

Background/Issues/Analysis

REQUEST

1. This is a request to rezone a 217.86-gross acre site located approximately 900 feet north of the northeast corner of Cave Creek Dam Road and Desert Peak Parkway from S-1 (Ranch or Farm Residence) to PUD (Planned Unit Development) to allow a mixture of single-family and multifamily residential, not to exceed 250 units.

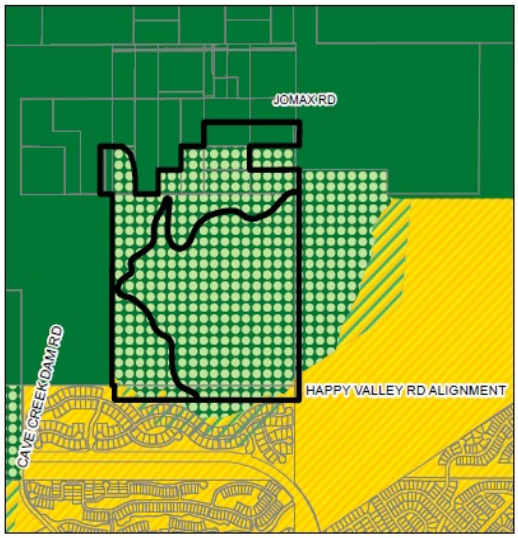


Zoning Sketch Map, Source: City of Phoenix Planning and Development Department

GENERAL PLAN LAND USE MAP DESIGNATIONS

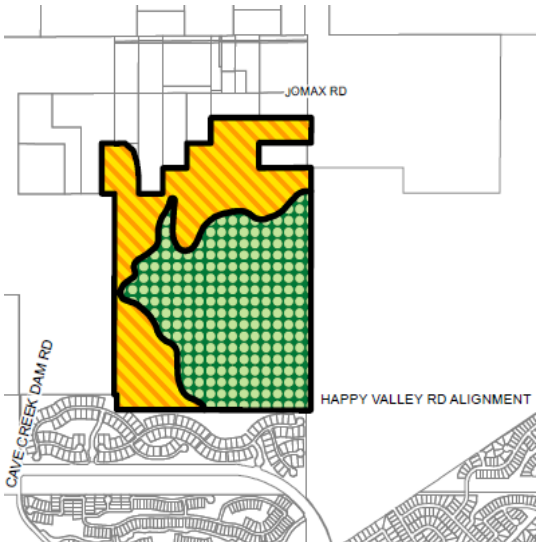
2. The site has General Plan Land Use Map designations of Residential 2 to 5 dwelling units per acre (1.50 acres), Preserves / Residential 2 to 3.5 / Residential 3.5 to 5 dwelling units per acre (2.19 acres), Future Parks/Open Space or 1 dwelling unit per acre (201.01 acres), and Public Parks/Open Space (13.16 acres). The proposal is not consistent with these designations and, as the site exceeds 10 acres in size, the applicant has filed a General Plan Amendment, GPA-DSTV-1-19-2, as a companion case to this rezoning request. The GPA request is for Future Parks/Open Space or 1 dwelling unit per acre (122.42 acres) and Residential 2 to 3.5 dwelling units per acre / Residential 5 to 10 dwelling units per acre (95.44 acres).

EXISTING



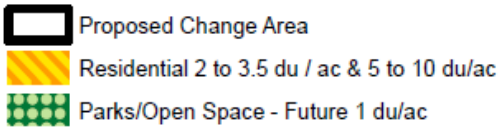
Residential 2 to 5 (1.50 +/- Acres)
Preserves / Residential 2 to 3.5 / 3.5 to 5 (2.19 +/- Acres)
Parks/Open Space - Future (201.01 +/- Acres)
Parks/Open Space - Public (13.16 +/- Acres)

PROPOSED



Parks/Open Space - Future 1 du/ac (122.42 +/- Acres)
Residential 2 to 3.5 du/ac and Residential 5 to 10 du/ac (95.44 +/- Acres





Existing and Proposed General Land Use Designation Maps, Source: City of Phoenix Planning and Development Department

North of the northern boundary of the subject site, there are General Plan Land Use Map designation of Public Parks/Open Space.

East of the subject site, there are General Plan Land Use Map designations of Public Parks/Open Space, Future Parks/Open Space or 1 dwelling unit per acre, and Residential 2 to 5 dwelling units per acre.

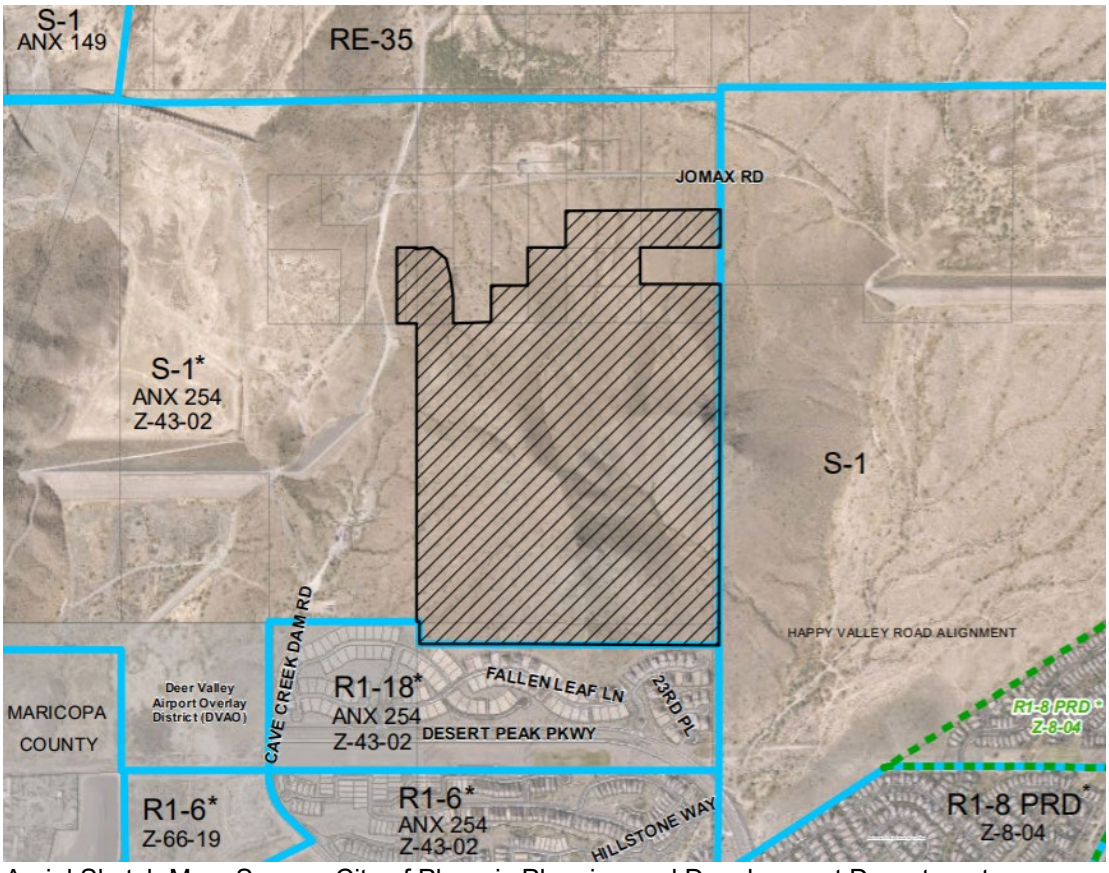
South of the subject site, the General Plan Land Use Map designations are Preserves / Residential 2 to 3.5 / Residential 3.5 to 5 dwelling units per acre, Future Parks/Open Space or 1 dwelling unit per acre, and Residential 2 to 5 dwelling units per acre.

West of the subject is designated as Public Parks/Open Space. A small portion west of the site and part of the Hillstone North subdivision is designated Residential 2 to 5 dwelling units per acre.

This PUD Development Narrative proposes single-family and multifamily uses that vary between 3 and 6 dwelling units per acre. Thus, the proposal is consistent with the requested General Plan Land Use Map designation of Future Parks/Open Space or 1 dwelling unit per acre and Residential 2 to 3.5 dwelling units per acre / Residential 5 to 10 dwelling units per acre.

EXISTING CONDITIONS & SURROUNDING ZONING

3. The subject site is currently vacant, but used for various recreational activities and zoned S-1 (Ranch or Farm Residence). The surrounding zoning and land uses are as follows:



Aerial Sketch Map, Source: City of Phoenix Planning and Development Department

NORTH

North of the northern boundary of the subject site is the Cave Buttes Recreation Area, a park that is overseen by the Maricopa County Flood Control District.

This area contains a number of dams that control flooding from the Cave Creek wash and adjacent tributaries. This area is zoned S-1.

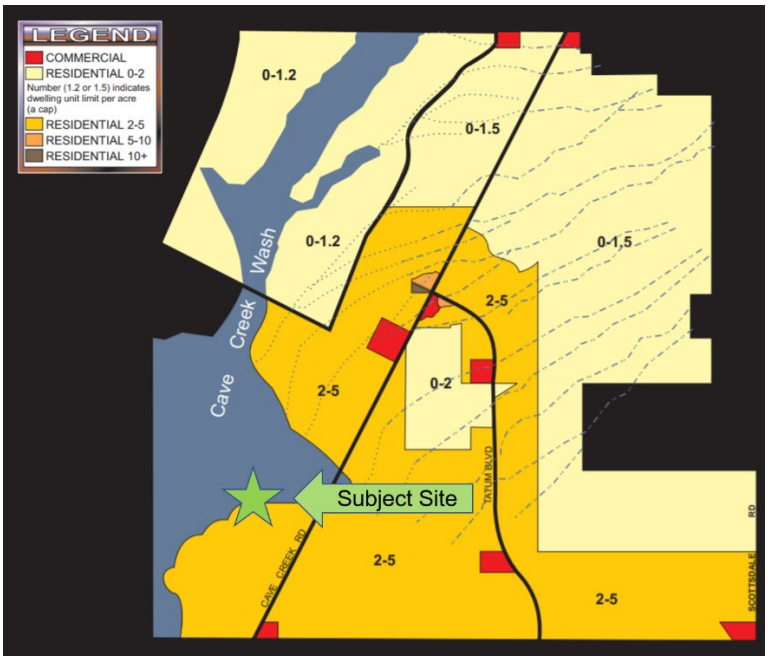
EAST
East of the subject site is a portion of Cave Buttes Recreation Area and vacant land that is owned by the Arizona State Land Department (AZSLD). This area is zoned
S-1.

SOUTH
South of the subject site are single-family residential developments zoned R1-18 and R1-6. The Hillstone North and Hillstone South subdivisions are subject to Rezoning Case No. Z-43-02.

WEST
West of the subject sites is the Cave Buttes Recreation Area. The Cave Buttes Dam, a dry dam to prevent flooding in north Phoenix, is also located west of the subject site. This area is zoned S-1.

AREA PLANS, OVERLAYS, AND INITATIVES

4. North Land Use Plan
The project site is located within the boundaries of the North Land Use Plan. The North Land Use Plan was created in 1997 with the purpose of establishing growth patterns while preserving the desert landscape and character of the area. The plan recognizes the importance that the rural character and lifestyle play in determining appropriate land use densities. The North Land Use Plan designates this site as Residential 2 to 5

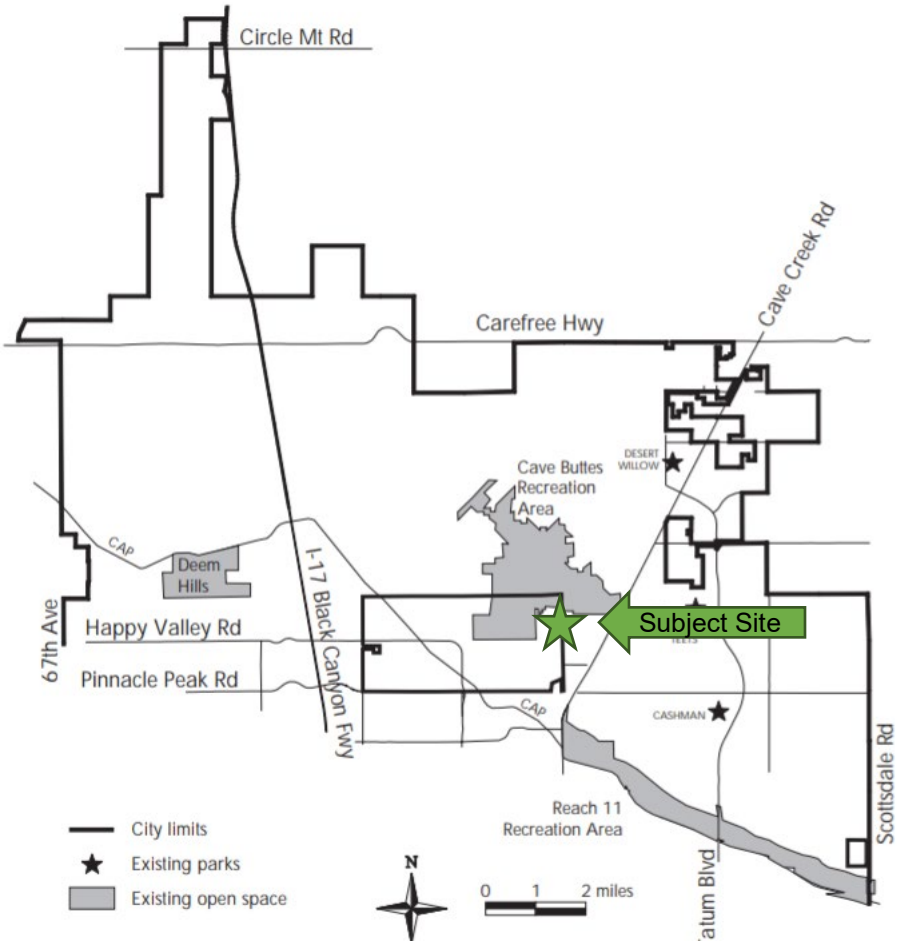


North Land Use Plan Map, Source: City of Phoenix Planning and Development Department

dwelling units per acre. The proposed site will have a maximum of 250 units across the 95-acre developable portion of the site to ensure compatibility with the character of the North Land Use Plan.

The development also supports concepts in the North Land Use Plan by preserving Cave Creek Wash's natural flow and the surrounding desert environment.

5. Sonoran Preserve Master Plan



North Study Area of the Sonoran Preserve Master Plan, Source: City of Phoenix Planning and Development Department

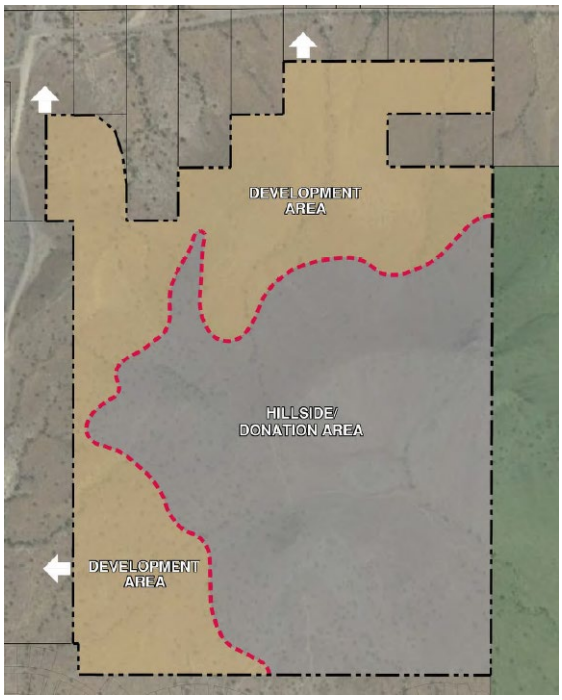
The subject site is within the North Study Area of the Sonoran Preserve Master Plan. The Sonoran Preserve Master Plan was approved by the City in 1998 with the goal of accommodating growth while preserving the Sonoran Desert. The PUD supports the overall goal of the Sonoran Preserve Master Plan through the donation of approximately 120 acres to the City's Parks and Recreation Department. This donation will provide recreational connectivity to

the Cave Buttes Recreation Area and surrounding preserve and park properties. The PUD will also preserve significant wash corridors and natural drainage systems and provide various recreational opportunities.

PUD PROPOSAL

6. The proposal was developed utilizing the Planned Unit Development zoning district. The PUD is intended to create a built environment that is superior to what is produced through conventional zoning districts and design guidelines. Using a collaborative and comprehensive approach, an applicant authors and proposes standards and guidelines that are tailored to the context of a site on a case by case basis. Where the PUD Development Narrative is silent on a requirement, the applicable Zoning Ordinance provisions will be applied.

7. **Land Use Plan:** The PUD proposes two land use concepts for the entire project site. Approximately 95 acres of the site are below the 20 percent hillside slope line and will be developed with a mix of single-family and multifamily residential, not to exceed 250 units. The remaining approximately 120 acres will be donated to the Parks and Recreation Department as an addition to the Phoenix Mountain Preserve or a desert park. Staff is recommending Stipulation No. 2 to ensure a minimum of 120 acres is donated by the landowner. The landowner will also work with the City of Phoenix Parks and Recreation Department regarding access to the donated portion of the site per Stipulation No. 3.



Conceptual Land Use Plan, Source: Hilgart Wilson

The conceptual plans included within the Development Narrative do not depict street connections to the subject site, thus the Street Transportation Department is recommending Stipulation No. 4 for the developer to complete a Traffic Impact Study and Stipulation No. 5 to ensure the development adheres to the dedications and improvements as stipulated in the approved Traffic Impact Statement. The Street Transportation Department also recommended Stipulation No. 6, to ensure that the appropriate right-of-way, access, dedications and infrastructure are provided by the developer. Additionally, the

applicant is working with the Maricopa County Flood Control District on the necessary approvals that will allow access to the site.

8. **Permitted Uses:** The PUD proposes to allow detatched and attached single-family residential, multifamily residential, a residential model home complex, sales office, and a community garden. Temporary and accessory uses are to comply with their respective sections in the Phoenix Zoning Ordinance.

9. **Development Standards:** The PUD sets forth several development standards that only apply to the non-hillside areas of the PUD. All other areas of the PUD will be subject to all Hillside Development Standards of the Zoning Ordinance, which would override any of the PUD standards where conflicts arise. Below is a summary of the development standards proposed in the PUD development narrative for single-family detached, single-family attached, and multifamily residential development, which can be found on pages 10 through 12 of the PUD Development Narrative.

SINGLE-FAMILY DETACHED DEVELOPMENT STANDARDS	
	PUD STANDARD
Dwelling Unit Density (Maximum)	3.0 dwelling units per acre
Minimum Perimeter Building Setbacks	Public or Private Street (front, rear, or side): 15 feet (in addition to landscape setback); Property line (rear): 15 feet (1 story), 20 feet (2 story); Property line (side): 10 feet (1 story), 15 feet (2 story)
Minimum Building Setback adjacent to future and existing/dedicated preserve areas	50 feet
Interior Building Setbacks (Minimum)	
Front	10 feet
Non-Street Side	5 feet
Street Side	10 feet
Rear	5 feet

Maximum Building Height	2 stories and 30 feet

SINGLE-FAMILY ATTACHED DEVELOPMENT STANDARDS	
	PUD STANDARD
Dwelling Unit Density (Maximum)	3.0 dwelling units per acre
Minimum Perimeter Building Setbacks	20 feet adjacent to a public or private street (this area to be in common ownership unless lots front on the perimeter street); 15 feet adjacent to the property line
Minimum Building Setback adjacent to future and existing/dedicated preserve areas	50 feet
Interior Building Setbacks (Minimum)	
Front	10 feet
Non-Street Side	5 feet, 0 feet for attached dwelling units
Street Side	10 feet
Rear	5 feet
Maximum Building Height	2 stories and 30 feet

MULTIFAMILY DEVELOPMENT STANDARDS	
	PUD STANDARD
Dwelling Unit Density (Maximum)	6.0 dwelling units per acre
Minimum Perimeter Building Setbacks	20 feet adjacent to a public or private street (this area to be in common ownership unless lots front on the perimeter street); 15 feet adjacent to the property line

Minimum Building Setback adjacent to future and existing/dedicated preserve areas	50 feet
Interior Building Setbacks (Minimum)	
Front	20 feet
Non-Street Side	0 feet for attached dwelling units
Street Side	10 feet
Rear	0 feet
Maximum Building Height	2 stories and 30 feet

The proposed development standards allow for various types of residential development, while providing enhanced perimiter building setbacks to ensure that there are appropriate transitions from the site's developable areas to surrounding parcels.

10. **Landscape Standards:** The PUD outlines landscaping standards that exceed the requirements contained in the Zoning Ordinance. The proposed landscape standards are intended to create a robust vegetative shade cover along the streetscapes and throughout the development. In all developable areas, a 20 foot average, 15-foot minimum landscape setback shall be established adjacent to public and private perimeter streets. A 15-foot average, 10-foot minimum landscape setback will be provided along all other public and private streets. Additionally, all trees within the development will have a minimum caliper size of two inches. Below are a summary of the proposed landscape standards. Perimeter common landscape setbacks are addressed on pages 10 through 12 of the PUD Development Narrative and all other landscape standards can be found on pages 12 through 15 of the PUD Development Narrative.

LANDSCAPE STANDARDS	
	PUD STANDARD
Perimeter common landscape setback	• Adjacent to public or private perimeter streets: o 20-foot average and 15-foot minimum (does not apply to lots/units fronting onto perimeter streets)

Streetscape	• A landscaped setback shall be established and maintained along all public or private street frontages: o 15-foot average and 10-foot minimum • Planting Quantity: o One tree for every 20 feet of street frontage o 5 shrubs shall be planted for each tree • Planting Size: o Trees shall have a minimum 2 inch caliper • Additional requirements for landscaping located within the rights-of-way: o Turf is prohibited

11. **Design Guidelines:** The PUD sets forth an extensive list of design requirements for building architecture and design features. These standards and design features ensure that a high-quality development is provided on site. Standards for single-family building design include four sided architecture, separation of identical elevations or floorplans, reduction of garage dominance on the streetscape, varied front yard setbacks, limitation on the percentage of stucco, and recessed or pop-out windows. Standards for multifamily building design inlcude architectural articulation, provision of weather protection at entrances and exits, consistent building design and character, screening of mechanical equipment, and complementary colors and materials.

12. **Amenities:** The PUD proposes amenities throughout open space areas including, but not limited to, ramadas, seating areas, picnic benches, and a playgound. The PUD also proposes access to mountain preserves though a pedestrian network and a maximum of three access sites to the donated portion of the site. Additionally, a minimum of 5 percent of the developable area shall be dedicated open space, not inclusive of the donated portion of the site.

13. **Signage:** Signs within the PUD will comply with Section 705 of the Zoning Ordinance. Additionally, all permanent signs with be compatible with the design of other buildings regarding syle, materials, textures, colors, and landscape elements. The site will also provide entry monument signs, which will include a minimum of 150 square feet of landscaping.

CITYWIDE STUDIES AND POLICIES

14. **Tree and Shade Master Plan**
The Tree and Shade Master Plan has a goal of treating the urban forest as

infrastructure to ensure trees are an integral part of the City's planning and development process. Sidewalks on street frontages should be detached from the curbs to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect. The proposed PUD narrative includes standards for large tree plantings along street frontages, throughout landscape areas, pedestrian pathways, and public sidewalks. The landscaping standards in the PUD will provide significant shade for pedestrians and will help reduce the urban heat island effect wihin the development and in the greater Desert View area.

15. **Complete Streets Guiding Principles**
In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. The proposed PUD sets forth standards that will improve the pedestrian environment, including detached sidewalks, tree shade cover, and shaded pedestrian amenity areas.

16. **Comprehensive Bicycle Master Plan**
The City of Phoenix adopted the Comprehensive Bicycle Master Plan in 2014 to guide the development of its Bikeway System and supportive infrastructure. The Development Narrative states that an extensive pedestrian network of walking and bicycle paths will be available for resident use in order to create a sustainable and inviting community. The paths will connect residents to internal and external open space areas and will be a minimum of five feet to accommodate pedestrians and bicycle users.

17. **Housing Phoenix**
In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This plan contains policy initiatives for the development and preservation of housing with a vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing. The proposed development will provide a maximum of 250 units, which will be a mix of single-family and multifamily units. These proposed units support the Housing Phoenix Plan's goal of preserving or creating 50,000 housing units by 2030 and contributes to a variety of housing types that will address the supply shortage.

18. **Zero Waste PHX**
The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero waste city, as part of the City's overall 2050

Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs. Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial, and mixed use developments meeting certain criteria. The Development Narrative states that recycling collection areas will be identified on the site plan when the site plan is submitted for site plan review.

COMMUNITY INPUT SUMMARY

19. At the time the staff report was written, staff had not received any community correspondence regarding this request.

INTERDEPARTMENTAL COMMENTS

20. The Parks and Recreation Department provided comments pertaining to the conveyance of 120 acres to the City of Phoenix as a desert park and/or mountain preserve. Additionally, the 120 acre area shall have a maximum of three access sites. This is addressed in Stipulation Nos. 2 and 3.

21. The Street Transportation Department provided the following comments:

- The developer is required to complete a Traffic Impact Study to the City for the development. Additionally, the development shall adhere to the dedications and improvements as stipulated in the Traffic Impact Study. This is addressed in Stipulation Nos. 4 and 5.

- The development shall secure the necessary approvals and permits to construct a private roadway to service the development. Additionally, the developer shall dedicate the necessary easements for public ingress and egress, solid waste, emergency access, and utilities. This is addressed in Stipulation No. 6.

22. The Water Services Department commented that the closest water and sewer mains are within Jomax Road and Cave Creek Road and extensions will be required at the time of development. The Department stated that depending on the timing for the development, there may or may not be available sewer capacity to serve this project. The Department noted that capacity is a dynamic condition that can change over time due to a variety of factors and the City is only able to provide assurance of water and sewer capacity at the time of preliminary site plan approval.

23. The Floodplain Management Division of the Public Works Department has indicated that the parcel is located in a Special Flood Hazard Area (SFHA), as designated by the Federal Emergency Management Agency (FEMA). The division indicated that the lowest floor of all structures constructed in the SFHA

shall be a minimum of one foot above the Base Flood Elevation (BFE). The lowest adjacent grade to the structure must be a minimum of at or above the BFE. Additionally, no basements are allowed in residential structures located in a SFHA.

24. The Fire Department indicated that they do not anticipate any problems with the referenced case. Additionally, site and buildings shall comply with the Phoenix Fire Code. The current water supply is also unknown, but will be required to meet fire flow requirements.

OTHER

25. The site is located in a larger area identified as being archaeologically sensitive. If further review by the City of Phoenix Archaeology Office determines the site and immediate area to be archaeologically sensitive, and if no previous archaeological projects have been conducted within this project area, it is recommended that archaeological Phase I data testing of this area be conducted. Phase II archaeological data recovery excavations may be necessary based upon the results of the testing. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation Nos. 7 through 9.

26. The developer shall provide a hydraulic/hydrologic analysis of offsite storm water flows, when present, at the time of preliminary site plan submittal for verification of required infrastructure regarding lot space and density.

27. Development and use of the site are subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal action such as, but not limited to, zoning adjustments and abandonments, may be required.

Findings

1. The proposed PUD will donate a minimum of 120 acres to the Parks and Recreation Department as an addition to the Phoenix Mountain Preserve and/or a desert park. The development includes standards to ensure appropriate transitions from the donated area to adjacent uses.

2. The proposal balances the need for additional housing, while retaining and preserving the desert landscape, as outlined in the North Land Use Plan and Sonoran Preserve Master Plan.

3. The proposal includes several development standards, such as increased tree caliper, edge conditions, and setbacks, and design guidelines that exceed conventional Zoning Ordinance standards.

Stipulations

1. An updated Development Narrative for the Sendero Foothills PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped November 29, 2021, as modified by the following stipulations:

    a. Front Cover: Revise submittal date information on the cover page as follows:
    1st Submittal: August 8, 2019
    2nd Submittal: February 19, 2021
    3rd Submittal: August 16, 2021
    4th Submittal: November 2, 2021
    Hearing Draft: November 29, 2021
    City Council Adopted: TBD

    b. Update the narrative to reflect a site acreage of 217.86 acres.

    c. Page 10, Section D.1, Development Standards: Add the following under the second paragraph:
        - Maximum dwelling units for the overall PUD area: 250
        - Development will be restricted to slopes of 20% or less

    d. Page 15, Section D.2.iv: Increase live coverage to 75% to be consistent with the live coverage standards for single-family and multifamily development.

    e. Page 17, Section E.2, Site Design: Add the following language, “j. Walkways and trails shall be wide enough, five-foot minimum, to accommodate both pedestrians and bicycle users.”

2. Prior to the issuance of Final Site Plan approval, the landowner shall convey 120 acres (or an area mutually agreed by the city and the owner) of hillside land selected by the City of Phoenix and located in the area as depicted as Tract A of the final plat, to the City of Phoenix for use as a City of Phoenix desert park and/or mountain preserve.

3. The landowner shall work with the City of Phoenix Parks and Recreation Department to determine a maximum of three access sites to the desert park or mountain preserve area prior to issuance of Final Site Plan approval. Access sites shall be located in mutually agreed upon locations by the City of Phoenix and the landowner and must be identified and delineated on the Final Site Plan.

4. The developer is required to complete a Traffic Impact Study. Preliminary site plan approval shall not be granted until the study has been approved by the Street Transportation Department.

5. The development shall adhere to the dedications and infrastructure improvements as stipulated in the approved Traffic Impact Study.

6. The developer shall provide the Planning and Development Department with proof of legal access between the development and a public right-of-way prior to final plat approval. This private access shall be sufficient to service a subdivision in accordance to the Subdivision Code in Chapter 32 of the City Code, as approved by the Planning and Development Department.

7. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

8. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

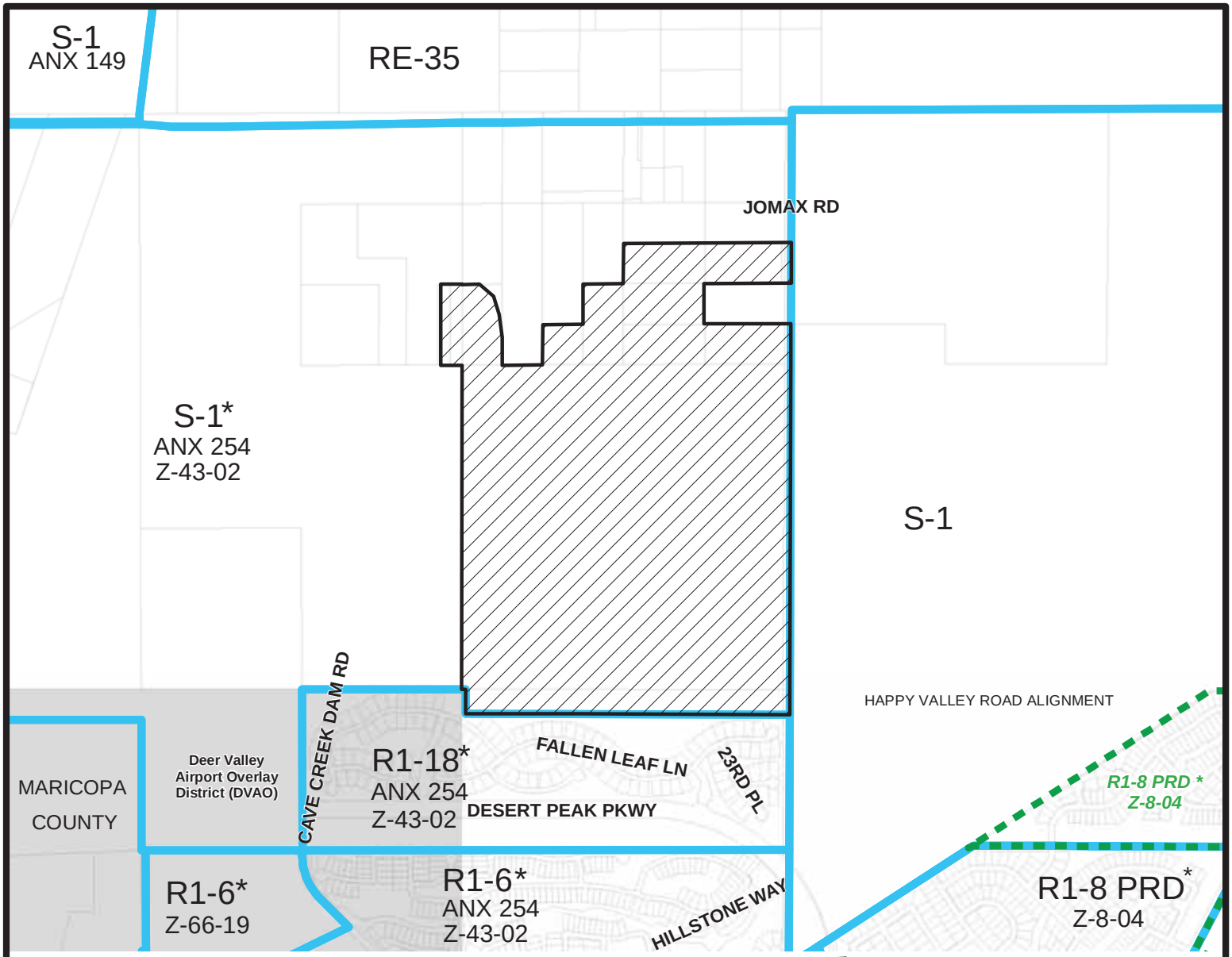
9. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33- foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

Writer
Julianna Pierre
December 6, 2021

Team Leader
Samantha Keating

Exhibits
Zoning sketch map
Aerial sketch map

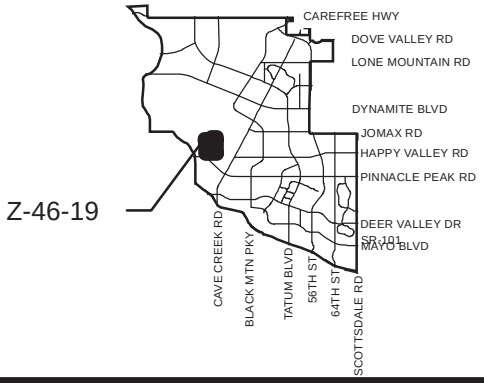
Sendero Foothills PUD date stamped November 29, 2021



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DESERT VIEW VILLAGE

CITY COUNCIL DISTRICT: 2



Z-46-19

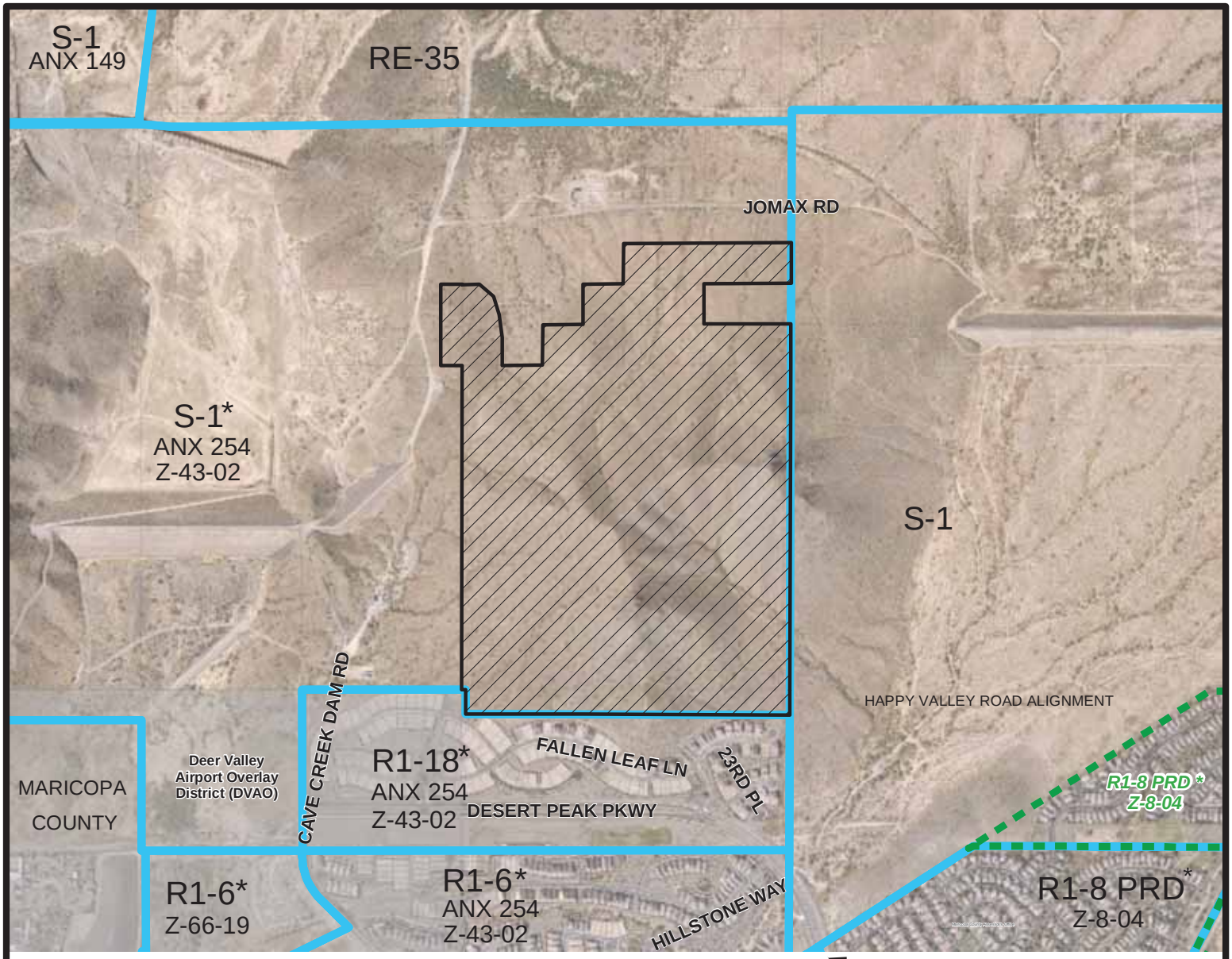
City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME: 24th Street and Jomax Road, LLC	**REQUESTED CHANGE:**
APPLICATION NO. Z-46-19	DATE: 11/9/2021
	REVISION DATES:
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 217.86 Acres	AERIAL PHOTO & QUARTER SEC. NO. QS 48-32, 47-32
	ZONING MAP O-9, P-9
	FROM: S-1 (217.86 a.c.)
	TO: PUD (217.86 a.c.)

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
S-1	217	N/A
PUD	250	N/A

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

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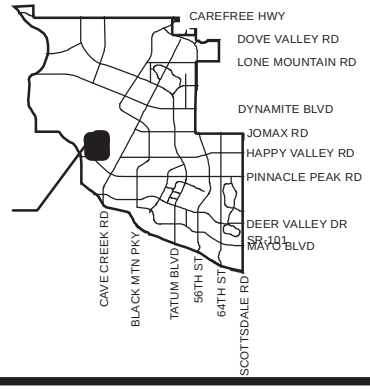
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DESERT VIEW VILLAGE

CITY COUNCIL DISTRICT: 2

Z-46-19



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME:	24th Street and Jomax Road, LLC
APPLICATION NO.	Z-46-19
DATE:	11/9/2021
REVISION DATES:	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.	217.86 Acres
AERIAL PHOTO & QUARTER SEC. NO.	QS 48-32, 47-32
ZONING MAP	O-9, P-9

REQUESTED CHANGE:

FROM: S-1 (217.86 a.c.)

TO: PUD (217.86 a.c.)

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
S-1	217	N/A
PUD	250	N/A

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

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Desert View
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-46-19-2
(INFORMATION ONLY)

Date of VPC Meeting	May 4, 2021
Request From	S-1 (Ranch or Farm Residence)
Request To	PUD (Planned Unit Development)
Proposed Use	Mixture of single-family and multifamily residential (not to exceed 250 units)
Location	Approximately 900 feet north of the northeast corner of Cave Creek Dam Road and Desert Peak Parkway

VPC DISCUSSION:

3 persons indicated that they wished to speak.

Bill Lally, representative with Tiffany and Bosco, provided information about the site and the surrounding area. He explained that the site is approximately 213 acres in total, but the majority is hillside (approximately 130-150 acres) and will be donated to the City of Phoenix's Parks and Recreation Department. He explained that the areas below the 10% slope will be developed as single-family and multifamily residential. He stated that the developable area of the site will also have open space with community amenities. He added that the proposed development would be similar to other existing developments in the area, such as Fireside at Norterra, Aviano by Toll Brothers, and Fireside at Desert Ridge.

Jason Israel, asked how many units will be built on site. **Bill Lally** stated that the developer anticipated a maximum of 250 units, with a target of 239 units.

Jason Israel asked if a traffic study was completed. **Bill Lally** stated that a traffic study was completed and that all access points to the proposed development could accommodate the additional traffic flow.

Chair Steven Bowser asked for clarification about impact fees. **Bill Lally** explained that there are impact fees in the area, but those fees may not take into account all of the needs in the area. He stated that the developer is working with City staff to determine the needs of the area and how the development will help pay for those needs.

Joseph Barto asked about future meetings and community involvement. **Bill Lally** stated that an initial neighborhood meeting was held, but no community members

attended. He stated that there will be a second neighborhood meeting in the coming weeks and expects increased engagement.

Rick Nowell asked for clarification regarding the acreage donated to Parks and Recreation. **Bill Lally** explained that design, access, amenities, and security will be determined by the Parks and Recreation Department.

Jill Hankins asked if Desert Peak Parkway will connect to 7th Street or Happy Valley Road. **Bill Lally** explained that the Street Classification Map depicts a connection between Pinnacle Peak Road and Happy Valley Road to the west.

Jill Hankins asked if the City has a Hillside Ordinance. **Bill Lally** stated that the City does have a Hillside Ordinance, which essentially states that areas with less than a 10% slope can be developed using standard subdivision regulations. He added that development on areas with greater than 10% slope would require a disturbance waiver.

Gary Kirkilas, a member of the community, asked if the property abuts the Sonoran Preserve or Cave Buttes Recreation Area and whether edge treatments would be implemented. **Bill Lally** stated that he would follow up to this question after determining whether the site is directly adjacent to the preserve or recreation area.

Gary Kirkilas asked for clarification regarding the infrastructure limit line. **Bill Lally** stated that when developing outside an area with existing infrastructure, a waiver would be required, but the proposed development would not require any waivers. He added that over the past year the developer's engineering team determined how to bring utility infrastructure to the site.

Michelle Butler, a community member who lives adjacent to the site, stated that the proposed development would be directly adjacent to the North View at Stone Butte community. She stated that the existing subdivision is gated, but people already think that their neighborhood is part of the preserve and have faced numerous security issues. She added that the preserve donation is positive in theory, but there would need to be a clear separation from the existing communities. **Bill Lally** stated that the proposed development would be exclusive and the proposed preserve would be a secured public asset with limited access. He stated that there could also be signage along Cave Creek Road and Desert Peak Parkway to direct people to the appropriate access point.

Dennis Hasenbank, a member of the Stone Butte community, stated that he was originally interested in the area because of the lower density and open space. He expressed concerns with higher density, higher activity, and security.

STAFF COMMENTS:

Staff has no comments.

Desert View
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-46-19-2

Date of VPC Meeting	December 7, 2021
Request From	S-1 (Ranch or Farm Residence)
Request To	PUD (Planned Unit Development)
Proposal	To allow a mixture of single-family and multifamily residential.
Location	Approximately 900 feet north of the northeast corner of Cave Creek Dam Road and Desert Peak Parkway
VPC Recommendation	Approval
VPC Vote	11-0

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

This item was heard concurrently with Item #7 – GPA-DSTV-1-19-2.

2 persons indicated that they wished to speak.

Julianna Pierre provided information regarding the location of the site, surrounding zoning, and general plan land use designation. She stated that there are two proposals, a General Plan Amendment (GPA) and rezoning request. She stated that the GPA request is to amend the General Plan Land Use Map from Residential 2 to 5 dwelling units per acre, Preserves / Residential 2 to 3.5 and 3.5 to 5 dwelling units per acre, Parks / Open Space – Future or 1 dwelling unit per acre, and Parks / Open Space – Publicly Owned to Parks / Open Space – Future or 1 dwelling unit per acre and Residential 2 to 3.5 and 5 to 10 dwelling units per acre. She stated that the rezoning request is to rezone the property from S-1 (Ranch or Farm Residence) to Planned Unit Development (PUD). She stated that the proposal is to allow a mixture of single-family and multifamily residential.

Julianna Pierre stated that the development is proposing two land uses. Approximately 95 acres of the site is below the 20% hillside slope line and will be developed with a mix of single-family and multifamily residential, not to exceed 250 units. The remaining approximately 120 acres will be donated to the Parks and Recreation Department as an addition to the Phoenix Mountain Preserve or a desert park. She also reviewed the permitted uses and development standards. She also discussed how the site is within the boundaries of the North Land Use Plan and the Sonoran Preserve Master Plan and how the PUD proposes to align with those plans.

Julianna Pierre reviewed the staff findings and stipulations. She noted that GPA-DSTV-1-18-2 did not have any stipulations and the stipulations reviewed were for Z-46-19-2. She added that staff recommended approval for GPA-DSTV-1-18-2 and recommended approval, subject to stipulations for Z-46-19-2. She stated that staff had not received any community correspondence.

John Oliver, representative with Tiffany & Bosco, discussed the site and conceptual land uses. He noted that 5% of the approximately 95 acres of the site below the 20% slope line will be utilized as common open space. He also discussed the development standards for the single-family attached, single-family detached, and multifamily areas of the site. He also discussed how the proposed development is similar with the surrounding area. He stated that the site will have additional amenities including pedestrian access to mountain preserves, ramadas with trellises, seating and gathering areas, picnic areas, and playgrounds. He also discussed the hillside and wash edge treatment guidelines.

Vice Chair Louis Lagrave stated that since this development is south of Jomax Road he had no concerns with the proposed density.

Committee member Jill Hankins stated that there needs to be a connection to 7th Street and asked about the plans for Jomax Road. **Nguyen Lam**, representative with Hilgart Wilson, stated that there are no plans to improve the Jomax Road alignment. **Committee member Jill Hankins** stated that there should be an additional stipulation requiring a connection to 7th Street. **John Oliver** stated that the developer had completed a traffic impact statement, which was routed to the Street Transportation Department. **Julianna Pierre** stated that the Street Transportation Department recommended a stipulation requiring the developer to complete a Traffic Impact Study which will determine the necessary dedications and infrastructure improvements. She added that stipulations cannot be added that tie a particular development to any larger traffic improvements that are offsite.

Committee member Michelle Santoro expressed concerns because the land use plan lacked detail. **John Oliver** stated that the developer did not have a builder, so the standards provided were crafted to allow flexibility. He added that there is no percentage specified for multifamily and single-family, but there will be a maximum of 250 units. He added that a minimum 120 acres of the site will be donated to the City's Parks and Recreation Department.

Bob Thompson, a member of the public, stated that the site is too dense with 250 units on the developable area. He expressed concerns with the project being directly adjacent to Sonoran Desert areas.

Scott Coll, a member of the public, expressed concerns with the single point of proposed access to the site which would impact police and fire department response times.

Vice Chair Louis Lagrave reiterated the positives of the proposed development, which were the site adjoining other existing developments, a 120-acre donation, and the northernmost edge of the development abutting, but not extending into the adjacent recreation areas.

Committee member Rick Powell stated that this is the natural progression of development and the proposal makes sense since it is adjacent to other developed areas.

MOTION: Vice Chair Louis Lagrave made a motion to approve Z-46-19-2, as presented by staff. The motion was seconded by **Committee member Rick Powell**.

VOTE: 11-0 with Committee Members Bowser, Lagrave, Barto, Hankins, Kollar, Neely, Nowell, Powell, Santoro, Warren, and Younger in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

None.

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

ADDENDUM A
Staff Report: Z-46-19-2
December 21, 2021

Desert View Village Planning Committee Meeting Date	December 7, 2021
Planning Commission Hearing Date	January 6, 2022
Request From:	S-1 (213.18 acres)
Request To:	PUD (213.18 acres)
Proposed Use	Planned Unit Development to allow a mixture of single-family and multifamily residential
Location	Approximately 900 feet north of the northeast corner of Cave Creek Dam Road and Desert Peak Parkway
Owner	24th Street and Jomax Road, LLC
Applicant	24th Street and Jomax Road, LLC
Representative	William E Lally, Tiffany & Bosco, PA
Staff Recommendation	Approval, subject to stipulations

The purpose of this addendum is to revise an error in the acreage calculated for the case and subsequently included in the staff report. The original acreage was incorrectly calculated at 217.86 acres when the east side of the site boundary was aligned with a zoning boundary further east. The amendment area has been remapped correctly to align with the property boundary, and the revised acreage of the site is 213.18 acres. Due to this change, staff recommends a modification to Stipulation 1.b, regarding the acreage in the updated development narrative.

On May 4, 2021, the Desert View Village Planning Committee heard this request as an information only item. On December 7, 2021, the Desert View Village Planning Committee heard this request and recommended approval by a vote of 11 to 0.

Staff recommends approval per the following revised stipulations:

1. An updated Development Narrative for the Sendero Foothills PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped November 29, 2021, as modified by the following stipulations:

a. Front Cover: Revise submittal date information on the cover page as follows:
1st Submittal: August 8, 2019
2nd Submittal: February 19, 2021
3rd Submittal: August 16, 2021
4th Submittal: November 2, 2021
Hearing Draft: November 29, 2021
City Council Adopted: TBD

b. Update the narrative to reflect a site acreage of ~~217.86~~ 213.18 acres.

c. Page 10, Section D.1, Development Standards: Add the following under the second paragraph:
- Maximum dwelling units for the overall PUD area: 250
- Development will be restricted to slopes of 20% or less

d. Page 15, Section D.2.iv: Increase live coverage to 75% to be consistent with the live coverage standards for single-family and multifamily development.

e. Page 17, Section E.2, Site Design: Add the following language, “j. Walkways and trails shall be wide enough, five-foot minimum, to accommodate both pedestrians and bicycle users.”

2. Prior to the issuance of Final Site Plan approval, the landowner shall convey 120 acres (or an area mutually agreed by the city and the owner) of hillside land selected by the City of Phoenix and located in the area as depicted as Tract A of the final plat, to the City of Phoenix for use as a City of Phoenix desert park and/or mountain preserve.

3. The landowner shall work with the City of Phoenix Parks and Recreation Department to determine a maximum of three access sites to the desert park or mountain preserve area prior to issuance of Final Site Plan approval. Access sites shall be located in mutually agreed upon locations by the City of Phoenix and the landowner and must be identified and delineated on the Final Site Plan.

4. The developer is required to complete a Traffic Impact Study. Preliminary site plan approval shall not be granted until the study has been approved by the Street Transportation Department.

5. The development shall adhere to the dedications and infrastructure improvements as stipulated in the approved Traffic Impact Study.

6. The developer shall provide the Planning and Development Department with proof of legal access between the development and a public right-of-way prior to final plat approval. This private access shall be sufficient to service a subdivision

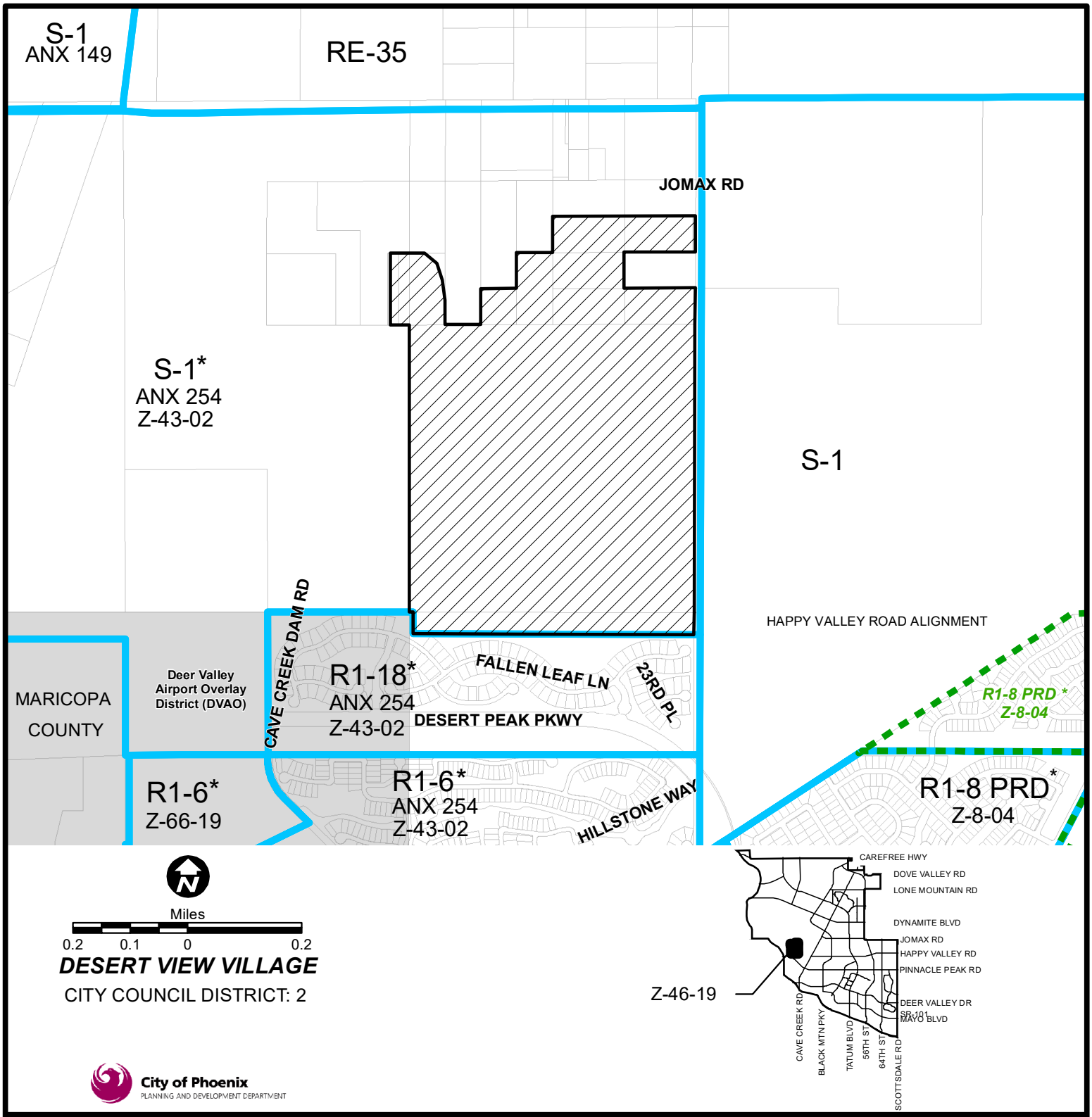
in accordance to the Subdivision Code in Chapter 32 of the City Code, as approved by the Planning and Development Department.

7. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

8. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

9. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

Exhibits
Revised Sketch Maps (2 pages)



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME:	24th Street and Jomax Road, LLC
APPLICATION NO.	Z-46-19
DATE:	11/9/2021
REVISION DATES:	12/9/2021
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.	213.18 Acres
AERIAL PHOTO & QUARTER SEC. NO.	QS 48-32, 47-32
ZONING MAP	O-9, P-9

REQUESTED CHANGE:

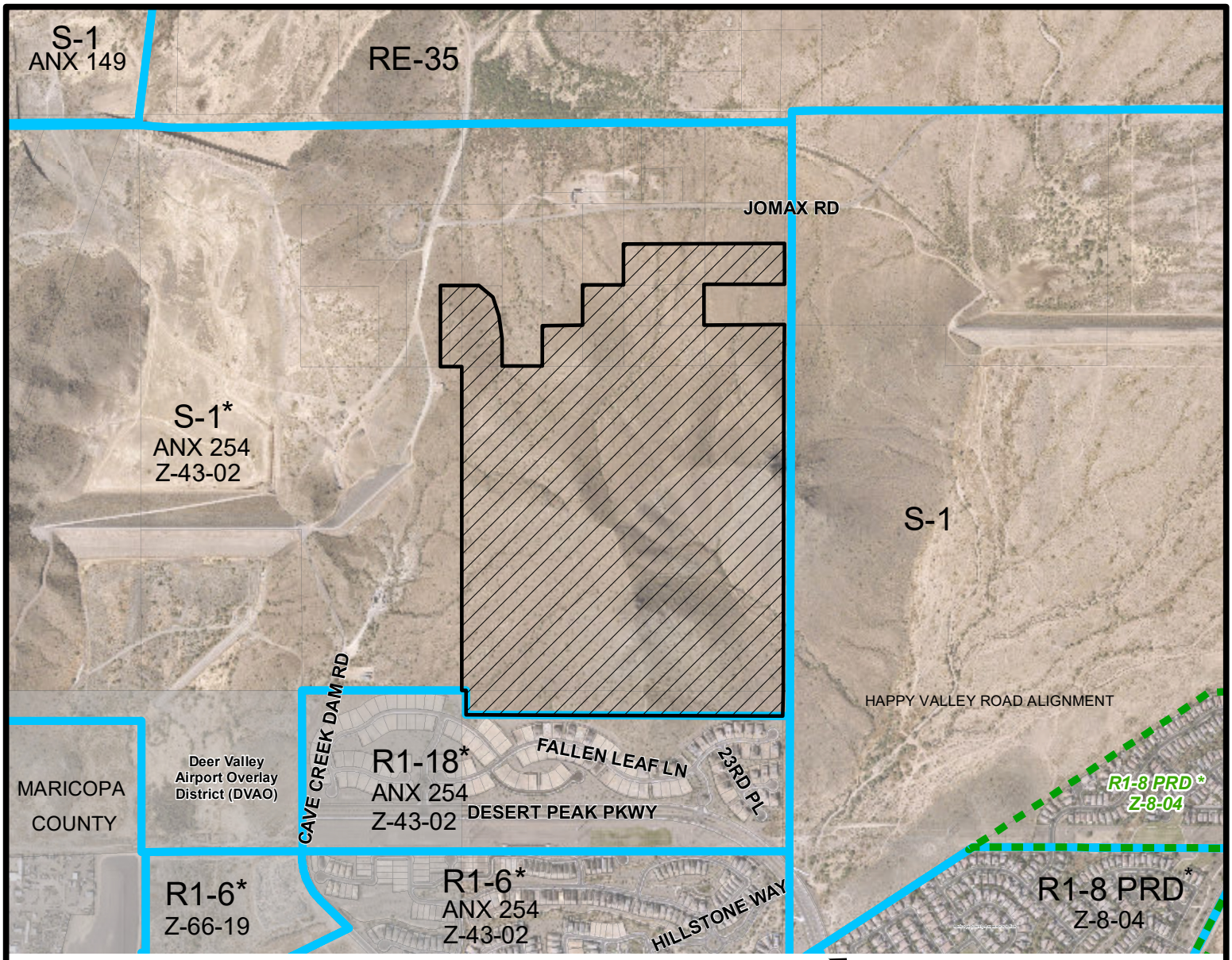
FROM: S-1 (213.18 a.c.)

TO: PUD (213.18 a.c.)

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
S-1	213	N/A
PUD	250	N/A

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

Document Path: S:\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\sketch_maps\2019\Z-46-19_Update_Sep2021.mxd

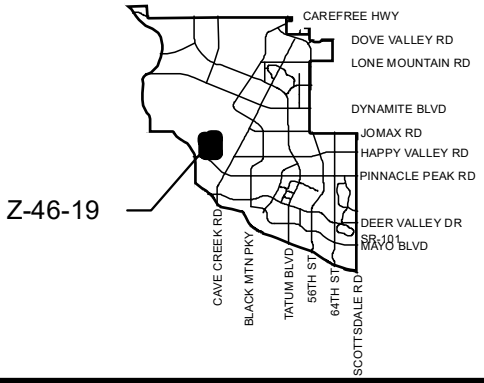


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DESERT VIEW VILLAGE

CITY COUNCIL DISTRICT: 2



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME:	24th Street and Jomax Road, LLC
APPLICATION NO.	Z-46-19
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.	213.18 Acres
DATE:	11/9/2021
REVISION DATES:	12/9/2021
AERIAL PHOTO & QUARTER SEC. NO.	QS 48-32, 47-32
ZONING MAP	O-9, P-9

REQUESTED CHANGE:

FROM: S-1 (213.18 a.c.)

TO: PUD (213.18 a.c.)

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
S-1	213	N/A
PUD	250	N/A

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

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Attachment F

REPORT OF PLANNING COMMISSION ACTION
January 6, 2022

ITEM NO: 5	
	DISTRICT NO.: 2
SUBJECT:	
Application #:	Z-46-19-2 (Sendero Foothills PUD)
Location:	Approximately 900 feet north of the northeast corner of Cave Creek Dam Road and Desert Peak Parkway
From:	S-1
To:	PUD
Acreage:	213.18
Proposal:	Planned Unit Development to allow a mixture of single-family and multifamily residential.
Applicant:	24th Street and Jomax Road, LLC
Owner:	24th Street and Jomax Road, LLC
Representative:	William E. Lally, Tiffany & Bosco, PA

ACTIONS:

Staff Recommendation: Approval, per the Addendum A Staff Reports.

Village Planning Committee (VPC) Recommendation:
Desert View 5/4/2021 Information only.
Desert View 12/7/2021 Approval, per the staff recommendation. Vote: 11-0.

Planning Commission Recommendation: Approval, per the Addendum A Staff Report with an additional stipulation.

Motion Discussion: N/A

Motion details: Commissioner Johnson made a MOTION to approve Z-46-19-2, per the Addendum A Staff Report, with the additional stipulation as read into the record.

Maker: Johnson
Second: Gorraiz
Vote: 6-2 (Bushing and Perez)
Absent: Shank
Opposition Present: No

Findings:

1. The proposed PUD will donate a minimum of 120 acres to the Parks and Recreation Department as an addition to the Phoenix Mountain Preserve and/or a desert park. The development includes standards to ensure appropriate transitions from the donated area to adjacent uses.

2. The proposal balances the need for additional housing, while retaining and preserving the desert landscape, as outlined in the North Land Use Plan and Sonoran Preserve Master Plan.

3. The proposal includes several development standards, such as increased tree caliper, edge conditions, and setbacks, and design guidelines that exceed conventional Zoning Ordinance standards.

Stipulations:

1. An updated Development Narrative for the Sendero Foothills PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped November 29, 2021, as modified by the following stipulations:

    a. Front Cover: Revise submittal date information on the cover page as follows:
    1st Submittal: August 8, 2019
    2nd Submittal: February 19, 2021
    3rd Submittal: August 16, 2021
    4th Submittal: November 2, 2021
    Hearing Draft: November 29, 2021
    City Council Adopted: TBD

    b. Update the narrative to reflect a site acreage of ~~217.86~~ 213.18 acres.

    c. Page 10, Section D.1, Development Standards: Add the following under the second paragraph:
    - Maximum dwelling units for the overall PUD area: 250
    - Development will be restricted to slopes of 20% or less

    d. Page 15, Section D.2.iv: Increase live coverage to 75% to be consistent with the live coverage standards for single-family and multifamily development.

    e. Page 17, Section E.2, Site Design: Add the following language, “j. Walkways and trails shall be wide enough, five-foot minimum, to accommodate both pedestrians and bicycle users.”

2. Prior to the issuance of Final Site Plan approval, the landowner shall convey 120 acres (or an area mutually agreed by the city and the owner) of hillside land selected by the City of Phoenix and located in the area as depicted as Tract A of the final plat, to the City of Phoenix for use as a City of Phoenix desert park and/or mountain preserve.

3. The landowner shall work with the City of Phoenix Parks and Recreation Department to determine a maximum of three access sites to the desert park or mountain preserve area prior to issuance of Final Site Plan approval. Access sites shall be located in mutually agreed upon locations by the City of Phoenix and the landowner and must be identified and delineated on the Final Site Plan.

4. The developer is required to complete a Traffic Impact Study. Preliminary site plan approval shall not be granted until the study has been approved by the Street Transportation Department.

5. The development shall adhere to the dedications and infrastructure improvements as stipulated in the approved Traffic Impact Study.

6. The developer shall provide the Planning and Development Department with proof of legal access between the development and a public right-of-way prior to final plat approval. This private access shall be sufficient to service a subdivision in accordance to the Subdivision Code in Chapter 32 of the City Code, as approved by the Planning and Development Department.

7. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

8. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

9. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33- foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

10. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS FORM. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 495-5622, TTY use 7-1-1.

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 80

Public Hearing and Resolution Adoption - General Plan Amendment GPA-SM-2-21-8 - Southeast Corner of 19th Avenue and South Mountain Avenue (Resolution 21990)

Request to hold a public hearing on a General Plan Amendment for the following item to consider adopting the Planning Commission's recommendation and the related Resolution if approved. This item is a companion case to Z-31-21-8 and must be heard first, followed by Z-31-21-8.

Summary

Current Plan Designation: Residential 1 to 2 dwelling units per acre
Proposed Plan Designation: Residential 2 to 3.5 dwelling units per acre
Acreage: 49.50 acres
Reason for Change: Minor General Plan amendment to allow single-family detached residential community

Owner: New Castle Development, LLC
Applicant: Benjamin Tate, Withey Morris, PLC
Representative: Benjamin Tate, Withey Morris, PLC

Staff Recommendation: Approval.
VPC Action: The South Mountain Village Planning Committee heard the case on Nov. 9, 2021 and recommended approval, per the staff recommendation, by a vote of 8-3.
PC Action: The Planning Commission heard the case on Dec. 2, 2021 and recommend a continuance, by a vote of 8-0. The Planning Commission heard the case again on Jan. 6, 2022 and recommended approval, per the South Mountain Village Planning Committee recommendation, by a vote of 8-0.
The Planning Commission recommendation was appealed on Jan. 12, 2022.

Location

Southeast corner of 19th Avenue and South Mountain Avenue.
Council District: 8
Parcel Addresses: 1835 W. South Mountain Ave.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED RESOLUTION

RESOLUTION

A RESOLUTION ADOPTING AN AMENDMENT TO THE 2015 GENERAL PLAN FOR PHOENIX, APPLICATION GPA-SM-2-21-8, CHANGING THE LAND USE CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN.

_____

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

SECTION 1. The 2015 Phoenix General Plan, which was adopted by Resolution 21307, is hereby amended by adopting GPA-SM-2-21-8. The 49.50-acre site located at the southeast corner of 19th Avenue and South Mountain Avenue is designated as Residential 2 to 3.5 dwelling units per acre.

SECTON 2. The Planning and Development Director is instructed to modify the 2015 Phoenix General Plan to reflect this land use classification change as shown below:

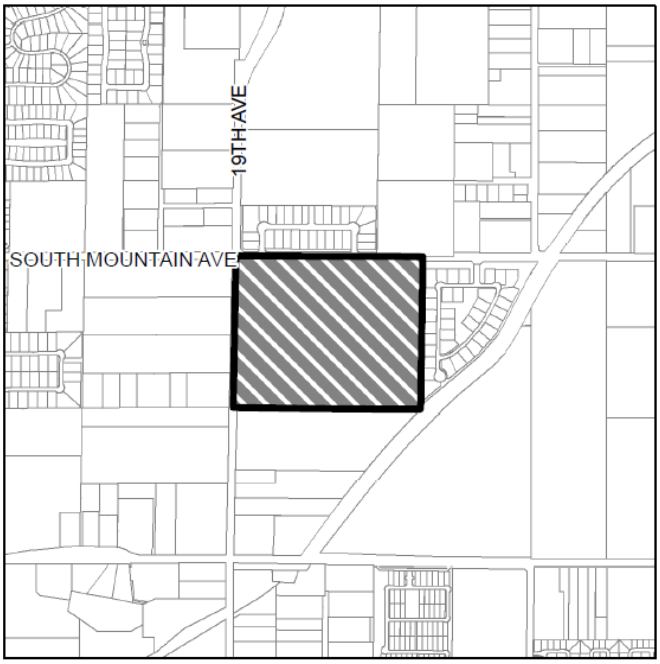
DRAFT

PROPOSED CHANGE:

Residential 2-3.5 du/ac (49.50 +/- Acres)

Proposed Change Area

Residential 2 to 3.5 du/acre



PASSED by the Council of the City of Phoenix this 2nd day of February 2022.

_____

M A Y O R

ATTEST:

_____

Denise Archibald, City Clerk

DRAFT

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:_____
_____

REVIEWED BY:

_____
Jeffrey Barton City Manager

DRAFT

City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

GENERAL PLAN AMENDMENT
STAFF ANALYSIS
November 5, 2021

Application:	GPA-SM-2-21-8
Applicant:	Benjamin Tate, Withey Morris, PLC
Owner:	New Castle Development, LLC
Representative:	Benjamin Tate, Withey Morris, PLC
Location:	Southeast corner of 19th Avenue and South Mountain Avenue
Acreage:	49.50 acres
Current Plan Designation:	Residential 1 to 2 dwelling units per acre (49.50 acres)
Requested Plan Designation:	Residential 2 to 3.5 dwelling units per acre (49.50 acres)
Reason for Requested Change:	Map Amendment to Residential 2 to 3.5 dwelling units per acre for a single-family residential detached community
South Mountain Village Planning Committee Date:	November 9, 2021
Staff Recommendation:	Approval

FINDINGS:

1) The subject site exceeds 10 acres, which requires a minor General Plan Amendment to the Land Use Map.

2) The proposed General Plan Land Use Map designation of Residential 2 to 3.5 dwelling units per acre is compatible with surrounding land uses.

3) The proposed land use designation is appropriate for a location adjacent to an arterial street.

4) The companion Rezoning Case Z-31-21-8 includes standards that ensure consistency in scale and character as well as appropriate transitions for adjacent single-family zoned property.

BACKGROUND

The subject site is located at the southwest corner of 19th Avenue and South Mountain Avenue and is presently vacant. The companion Rezoning Case Z-31-21-8 is requesting to rezone the subject site from 49.52 acres of S-1 (Ranch or Farm Residence District) to 49.52 acres of R1-10 (Single-Family Residence District) to allow a new 160-lot single-family detached community. The development, as proposed by the applicant, would allow a density up to 3.23 dwelling units per gross acre. The subject site is located adjacent to an arterial street (19th Avenue) which connects to Baseline Road, approximately 0.5 miles to the north, and Dobbins Road which is approximately 0.25 miles to the south.

RIO MONTAÑA AREA PLAN

In 2000, the City of Phoenix adopted the Rio Montaña Area Plan which encourages the preservation of the rural character of the area and incorporates transition zones to protect desert and open space areas. The plan also encourages pedestrian and equestrian activities through a network of trails and aspires to develop a sense of community while encouraging investment in the community.

The Rio Montaña Area Plan intends to accomplish this vision through seven goals that pertain to: promoting high quality development, protecting and improving neighborhoods, keeping a distinctive character, protecting the rural character, promoting business development, developing a tourist industry, providing a variety of transportation options.

The Rio Montaña Proposed Land Use Plan map designated the subject site as Residential 1 to 2 dwelling units per acre, while the proposal is to allow Residential 2 to 3.5 dwelling units per acre. As stipulated in Rezoning Case Z-31-21-8, the development will incorporate wide perimeter lots along the north and east property lines, provide a wide open space area along the western perimeter, require pitched roofs to be incorporated in all buildings, incorporate one-story limitations and open view fencing elements along the perimeter streets. These elements will help provide an appropriate land use transition consistent with development patterns in the area, while furthering many of the goals of the Rio Montaña Area Plan.

SURROUNDING LAND USES

The proposed general plan land use amendment is located in the southwest portion of the South Mountain Village. North, west and east of the site, the General Plan Land Use Map designation is a mix of Residential 1 to 2 dwelling units per acre. An active General Plan Land Use Map amendment request for Residential 2 to 3.5 dwelling units per acre has been filed for a property at the southwest corner of 19th Avenue and South Mountain Avenue.

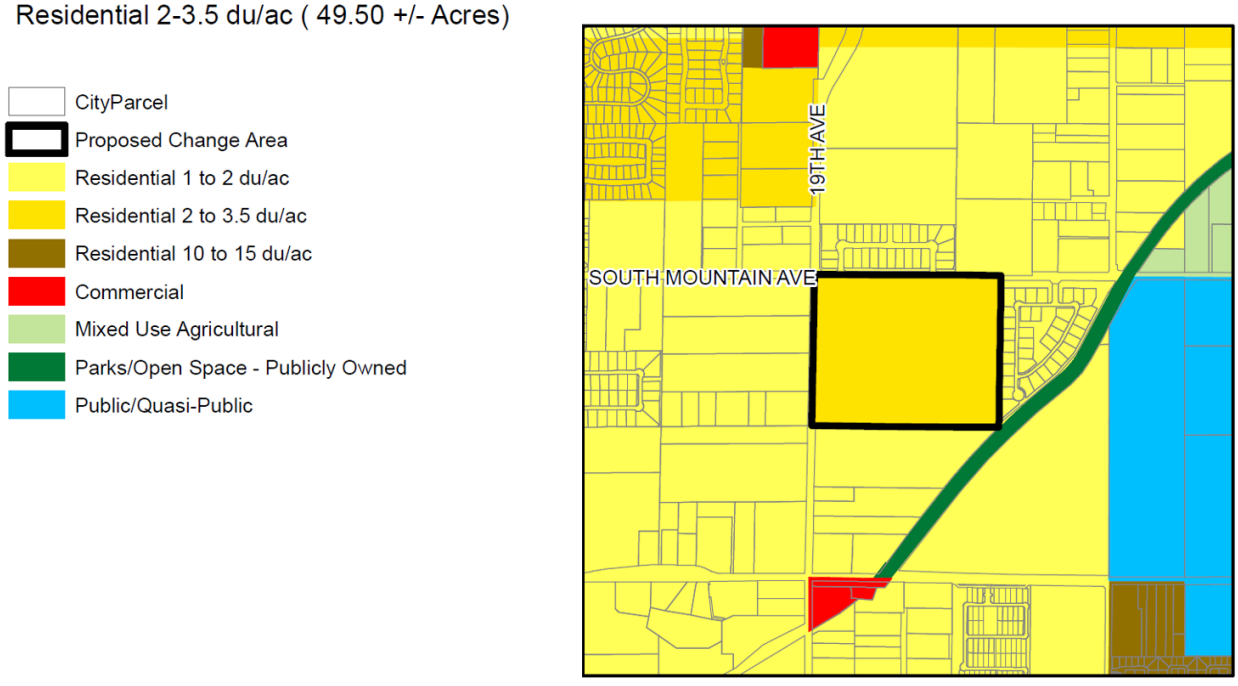
South of the site, the General Plan Land Use Map designation is Residential 1 to 2 dwelling units per acre and Parks/Open Space – Publicly Owned.

Approximately 0.1 miles north of the site, along 19th Avenue, and further along Baseline Road are properties designated Residential 2 to 3.5 dwelling units per acre. Furthermore, approximately 0.3 miles to the northwest and southeast of the site are properties designated Residential 10 to 15 dwelling units per acre.

Other General Plan Land Use Map designations in the general area include Commercial, which allows multifamily development. These properties designated Commercial are located approximately 0.25 miles to the south and 0.3 miles to the north.

PROPOSED CHANGE:

Residential 2-3.5 du/ac (49.50 +/- Acres)



Proposed General Plan Land Use Map, Source: City of Phoenix

RELATIONSHIP TO GENERAL PLAN CORE VALUES AND PRINCIPLES

CONNECT PEOPLE AND PLACES

- ***OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.***

  The proposal for a single-family detached residential community would allow development of a housing product that is consistent with other single-family uses in the area. As stipulated in Rezoning Case Z-31-21-8, the development will incorporate wide perimeter lots and open space areas, enhanced landscaping and height restrictions, which will also help to provide a transition from the proposed development to adjacent residential properties and to respect local conditions.

- ***OPPORTUNITY SITES; LAND USE PRINCIPLE: Promote and encourage compatible development and redevelopment with a mix of housing types in neighborhoods close to employment centers, commercial areas, and where transit or transportation alternatives exist.***

  The proposal for a single-family detached residential community, would allow development of a housing product that is consistent with other single-family uses in the area. An access point to the site is provided along 19th Avenue, an arterial street, which connects to Baseline Road where transit service is present.

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS

- ***CLEAN NEIGHBORHOODS; LAND USE PRINCIPLE: Facilitate the acquisition of vacant, underutilized and blighted parcels for appropriate redevelopment, compatible with the adjacent neighborhood character and adopted area plans.***

  As stipulated in Rezoning Case Z-31-21-8, the development will incorporate wide perimeter lots and open space areas, enhanced landscaping and height restrictions, which will help maintain an appropriate scale for the area. Furthermore, design and appearance of the development will be promoted through several stipulations that require enhanced landscaping, pitched roofed buildings, and durable materials in building elevations.

- ***DIVERSE NEIGHBORHOODS; LAND USE PRINCIPLE: Include a mix of housing types and densities where appropriate within each village that support a broad range of lifestyles.***

  Approval of the request will allow the introduction of a single-family detached community in an area where various residential densities exist. A range of zoning districts exist in the area which include S-1 (Ranch or Farm Residence District),

R1-18 (Single-Family Residence District) and R1-10 (Single-Family Residential District). This proposed development will help to provide housing for a broader range of lifestyles in the area.

CONCLUSION AND RECOMMENDATION

Staff recommends approval of GPA-SM-2-21-8. The proposed land use map designation of 2 to 3.5 dwelling units per acre is consistent in scale and character with existing land uses in the surrounding area. The land use map designation, as requested, would further diversify the land uses in this part of the South Mountain Village in a manner consistent with development patterns based on the existing zoning and General Plan Land Use Map designations in the general area. Furthermore, the requested land use map designation provides a transition area between the larger lot single-family residential community to the southeast and 19th Avenue, an arterial street.

As stipulated, the concurrent case Z-31-21-8 will enhance the compatibility and consistency with the land use pattern in the surrounding area while furthering many of the goals from the Rio Montaña Area Plan. Approval of the request, with concurrent case Z-31-21-8, will support the development of this underutilized property with uses that are compatible with the land use designations and zoning districts in the general area.

Writer
Enrique Bojórquez Gaxiola
November 5, 2021

Team Leader
Samantha Keating

Exhibits
Sketch Maps (2 pages)

GENERAL PLAN AMENDMENT

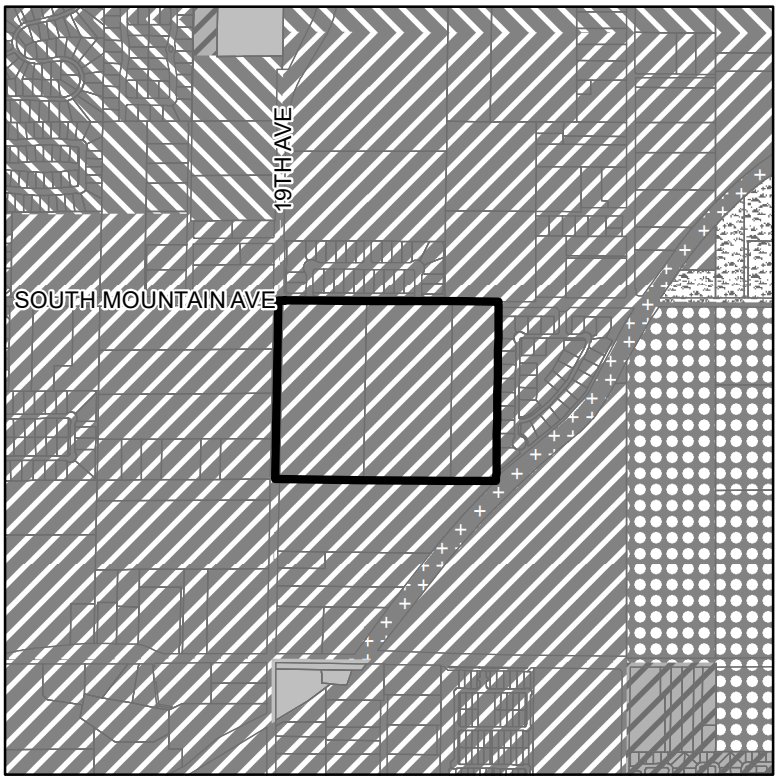
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-SM-2-21-8_BW	ACRES: 49.50 +/-
VILLAGE: South Mountain	COUNCIL DISTRICT: 8
APPLICANT: Benjamin Tate	

EXISTING:

Residential 1-2 du/ac (49.50 +/- Acres)

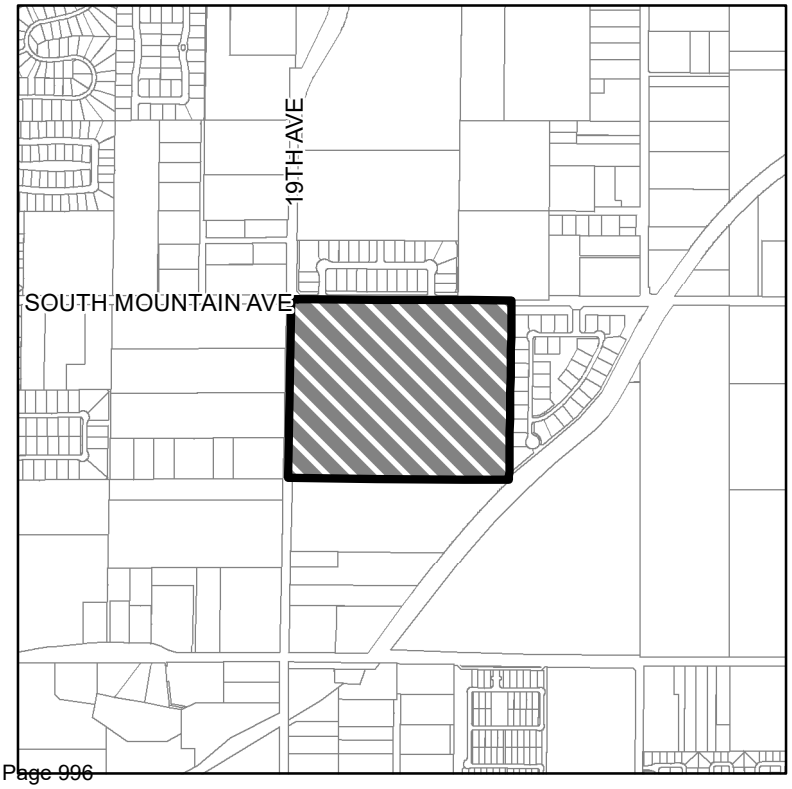
CityParcel
Proposed Change Area
Residential 1 to 2 du/acre
Residential 2 to 3.5 du/acre
Residential 10 to 15 du/acre
Commercial
Public/Quasi-Public
Parks/Open Space - Publicly Owned
Mixed Use Agricultural



PROPOSED CHANGE:

Residential 2-3.5 du/ac (49.50 +/- Acres)

Proposed Change Area
Residential 2 to 3.5 du/acre



GENERAL PLAN AMENDMENT

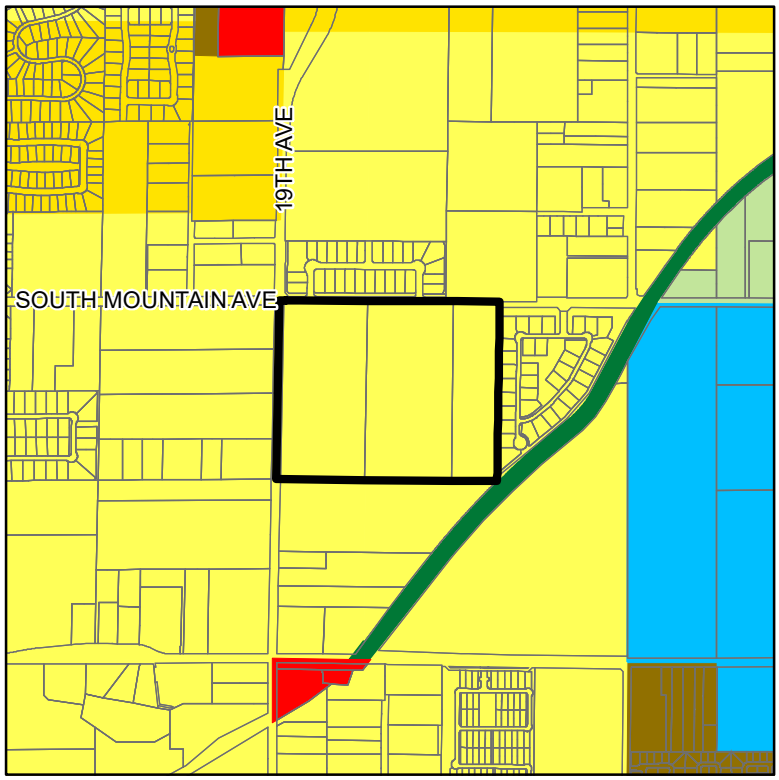
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-SM-2-21-8	ACRES: 49.50 +/-
VILLAGE: South Mountain	COUNCIL DISTRICT: 8
APPLICANT: Benjamin Tate	

EXISTING:

Residential 1-2 du/ac (49.50 +/- Acres)

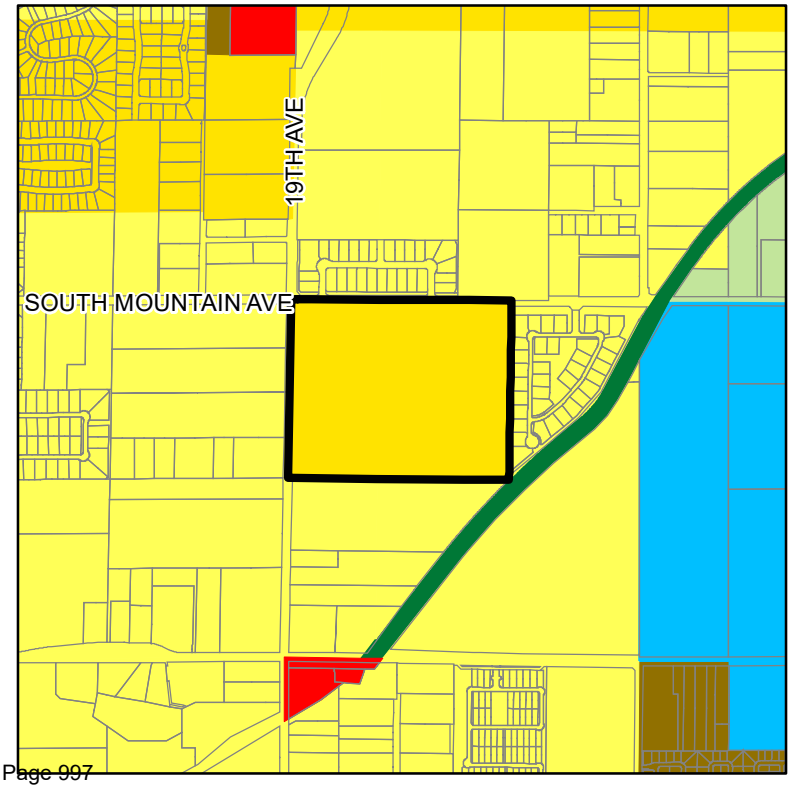
CityParcel
Proposed Change Area
Residential 1 to 2 du/ac
Residential 2 to 3.5 du/ac
Residential 10 to 15 du/ac
Commercial
Mixed Use Agricultural
Parks/Open Space - Publicly Owned
Public/Quasi-Public



PROPOSED CHANGE:

Residential 2-3.5 du/ac (49.50 +/- Acres)

Proposed Change Area
Residential 2 to 3.5 du/ac



South Mountain
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
GPA-SM-2-21-8

Date of VPC Meeting	November 9, 2021
Request	To amend the General Plan Land Use Designation on approximately 49.50 acres **from** Residential 1 to 2 dwelling units per acre **to** Residential 2 to 3.5 dwelling units per acre
Proposed Use	Single-family residential community
Location	Southeast corner of 19th Avenue and South Mountain Avenue
VPC Recommendation	Approval, per the staff recommendation in the staff report
VPC Vote	**8-3** Motion passed; Members Aldama, Alvarez, Busching, Shepard, Smith, Viera, Marchuk and Daniels in favor; Members Brooks, Brownell, and Holmerud in dissent.

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Seven members of the public registered to speak on this item. Three members registered in opposition, one neutral, one in support with conditions and two in support.

Enrique Bojórquez, staff, introduced himself and provided a presentation for the Minor General Plan amendment case GPA-SM-2-21-8 and concurrent rezoning case Z-31-21-8. He discussed the location of the site, noting surrounding land uses, existing General Plan Land Use map designations, and the proposed designation on the site. He discussed the existing zoning in the area and requested zoning for the site. He discussed policy documents including the General Plan and Rio Montaña Area Plan. The conceptual site plan for the proposed single-family subdivision was shown, indicating vehicular plus pedestrian access points, open space location, building height limitations, and lot widths proposed. The conceptual building renderings were discussed. He concluded the presentation by providing a staff recommendation of approval for both cases and describing the proposed stipulations for case Z-31-21-8, as presented in the staff report.

Adam Baugh, with Withey Morris PLC, introduced himself as the applicant and discussed the location and history of the site. He provided an overview of each application, discussed the demand for housing, and surrounding zoning districts.

He discussed the site plan, proposed project features such as fencing elements, building renderings, goals and policies from the General Plan and Rio Montaña Area Plan. An overview of issues related to health, safety, connectivity, appearance, walls, and energy savings was provided. A summary of public outreach was provided, including site plan revisions made to accommodate drainage and other elements. Roadway and flooding-related issues were discussed, in addition to a new rezoning stipulation proposed regarding pedestrian access to the Western Canal from South Mountain Avenue. He concluded the presentation by providing a summary of the project and requested approval of both cases.

Lee Coleman and Fatima Said left the meeting at 9:05pm, bringing the quorum to 11 members.

Chairwoman Daniels asked if the committee had any questions for the applicant or staff regarding these cases.

Gene Holmerud stated that this site is not a compound in the area.

Kay Shepard would like to see off-setting of lots and curvilinear streets for a better community. **Mr. Baugh** responded that his team could address the off-setting of the lots.

Lee Coleman asked for clarification on the development option used. He discussed the development standards. **Mr. Baugh** responded that the Planned Residential Development (PRD) option was used, and the project will follow all development standards.

Marcia Busching is not in favor of gated communities and asked the following questions:

- Does staff have concerns with the additional stipulation proposed by the applicant?
- Can the fencing plan be stipulated?
- Do irrigation facilities have to be undergrounded?

Mr. Bojórquez responded that a closer review of the new stipulation would be needed to determine if any conflicts arise. The Street Transportation Department provided the stipulation which requires the undergrounding and relocation of existing irrigation facilities outside of the right-of-way.

Greg Brownell stated that Mr. Baugh's staff have done a good job. However, Minor General Plan Amendment cases should be heard first before the rezoning case to actively plan land uses. This is a staff problem as this is a bad way to plan, but Mr. Baugh has done what the committee and staff should be doing. The General Plan case should not have a companion case since this promotes a

suggestion on the land use. He will not vote in favor due to this procedure and would reprimand staff if there was a formal way to do so.

Mr. Holmerud asked how water conservation was being considered. **Mr. Baugh** responded that one of the stipulations limited the use of high-water use plants such as turf.

Vice Chair Marchuk asked how the community concerns regarding the single-story limitations was being addressed. **Mr. Baugh** responded that he would agree that a minimum of 20-percent of the homes be kept at one-story.

Vice Chair Marchuk agrees with Ms. Shepard's comments.

Chairwoman Daniels asked of flood maps had been looked at in the area. **Mr. Baugh** responded that flood maps were shared by Patti Trites and these were reviewed. The canal bank and open space locations will help address flooding.

Chairwoman Daniels likes some gated communities. She asked if members of the public wanted to speak on this case.

Jewel Clark, resident of the area, introduced herself and asked that staff no longer share copies of presentation slides from the public with the developer ahead of the meeting. She showed a brief presentation and discussed the outcome of a previous rezoning case across the street, roadways, drainage, and the Rio Montaña Area Plan. The area should remain with existing R1-18 and S-1 zoning. She discussed traffic and flooding issues at the intersection of 19th Avenue and South Mountain Avenue. She discussed a map depicting existing zoning designations in the area and asked for these applications to be denied.

Mike Josic, resident of the area, introduced himself and stated that in 2018 the South Mountain VPC denied a similar rezoning request across 19th Avenue. He asked for a 90-day continuance on the case to continue to work with the developer. He lives in the area and would be affected. This project is not appropriate here and liked the South Central TOD presentation. Tiny lots will destroy the character of the area and do not reflect the existing character. There was not enough time to meet with the developer, as he only participated once in a virtual meeting about the project.

Erin Hegedus, resident of the area, introduced herself and stated that 3 years ago a similar conversation was had, and this project is not consistent with the Rio Montaña Area Plan. She discussed proposed enhancements and lives across the street from the project. She has not seen any planned improvements for the site. She asked how this project will improve the community and stated that there is a lack of trails now. Take a good look at this project as it will affect this community and does not support this project.

Troy Gamm, resident of the area, introduced himself and stated that this is a good developer. This proposed project looks nice, has one-story limitations and the main gate is along 19th Avenue. He supports this project.

Penny Gamm, resident of the area, introduced herself and stated that this project keeps the feel of the area. One-story homes are good and will help keep the views, while allowing future residents a short commute to Downtown Phoenix and providing good access for families. This builder is thoughtful on design and provides a good housing product.

Steven Higginbotham, resident of the area, introduced himself and stated that he moved to this area because he enjoys recreation, and discussed the comments made by the applicant regarding pedestrian and vehicular access. He discussed the notification letter and feels that in general increasing the density of the area is heading in the wrong direction. He discussed receiving the notification letter recently and discussed his concerns.

Mr. Baugh stated that he met with Magdalena Estates early in the process and the feedback received was incorporated from members of the public. He would like to move forward in the process.

Vice Chair Marchuk asked if he would consider continuing the cases. **Mr. Baugh** responded that he has been working on these cases for 11 months now and has incorporated much of the feedback received. He is unsure on what else could be accomplished by continuing the cases.

Chairwoman Daniels stated that she is a native of Phoenix and has seen this community grow. She expects it to continue growing into the future. She asked for questions or further discussion from the committee.

MOTION – GPA-SM-2-21-8:

Ms. Busching motioned to approve case GPA-SM-2-21-8 per the staff recommendation presented in the staff report. **Ms. Shepard** seconded the motion to approve.

VOTE – GPA-SM-2-21-8:

8-3, motion passed; Members Aldama, Alvarez, Busching, Shepard, Smith, Viera, Marchuk and Daniels in favor; Members Brooks, Brownell, and Holmerud in dissent.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

None.

Attachment D

REPORT OF PLANNING COMMISSION ACTION
January 6, 2022

ITEM NO: 8	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	GPA-SM-2-21-8 (Continued from 12/2/2021)
Request:	Map Amendment
Location:	Southeast corner of 19th Avenue and South Mountain Avenue
From:	Residential 1 to 2 dwelling units per acre
To:	Residential 2 to 3.5 dwelling units per acre
Acreage:	49.50
Proposal:	Minor General Plan Amendment to allow a single-family detached residential community.
Applicant:	Benjamin Tate, Withey Morris, PLC
Owner:	New Castle Development, LLC
Representative:	Benjamin Tate, Withey Morris, PLC

ACTIONS:

Staff Recommendation: Approval.

Village Planning Committee (VPC) Recommendation:
South Mountain 11/9/2021 Approval, per the staff recommendation. Vote: 8-3.

Planning Commission Recommendation: Approval, per the South Mountain Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Commissioner Bushing made a MOTION to approve GPA-SM-2-21-8, per the South Mountain Village Planning Committee recommendation, with the additional stipulation as read into the record.

Maker: Busching
Second: McCabe
Vote: 8-0
Absent: Shank
Opposition Present: Yes

Findings:

1. The subject site exceeds 10 acres, which requires a minor General Plan Amendment to the Land Use Map.

2. The proposed General Plan Land Use Map designation of Residential 2 to 3.5 dwelling units per acre is compatible with surrounding land uses.

3. The proposed land use designation is appropriate for a location adjacent to an arterial street.

4. The companion Rezoning Case Z-31-21-8 includes standards that ensure consistency in scale and character as well as appropriate transitions for adjacent single-family zoned property.

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 495-5622, TTY use 7-1-1.

Attachment E

CITY OF PHOENIX
PLANNING AND DEVELOPMENT DEPARTMENT

FORM TO REQUEST PC to CC **I HEREBY REQUEST THAT THE CC HOLD A PUBLIC HEARING ON:**					
APPLICATION NO/ LOCATION	**GPA-SM-2-21-8 (Continued from 12/2/2021) and Z-31-21-8 (Continued from 12/2/2021)** Southeast corner of 19th Avenue and South Mountain Avenue	***(SIGNATURE ON ORIGINAL IN FILE)***			
		opposition	**x**	**applicant**	
APPEALED FROM:	PC January 6, 2022	2020 West South Mountain Avenue Phoenix, AZ 85041			
	PC DATE	*STREET/ADDRESS/CITY/STATE/ZIP*			
TO PC/CC HEARING	CC February 2, 2022	H. Jewel Clark 480-664-9436 hjewelclark@fastmail.com			
	CC DATE	*NAME / PHONE / EMAIL*			
REASON FOR REQUEST: Doesn't conform to 2015 General Plan for density and rural character. Splits contiguously zoned S-1 & R1-18 community. Does not preserve/enhance neighborhood character and certainty for existing community. Negotiations are ongoing between neighborhood and developer and approval as submitted is premature.					
RECEIVED BY:	Nayeli Sanchez	**RECEIVED ON:**		January 12, 2022	

Alan Stephenson	Vikki Cipolla-Murillo
Joshua Bednarek	Greg Harmon
Tricia Gomes	Samantha Keating
Racelle Escolar	Paul M. Li
Stephanie Vasquez	Village Planner
Diana Hernandez	GIS
David Urbinato	Applicant

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

CITY OF PHOENIX
JAN 12 2022
Planning & Development Department

The **PLANNING COMMISSION** agenda for **January 6, 2022** is attached.

The **CITY COUNCIL** may approve the recommendation of the Planning Commission without further hearing **unless**:

1. A **REQUEST FOR A HEARING** by the **CITY COUNCIL** is filed within seven (7) days.

   There is a $630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. **January 13, 2022**.

   Any member of the public may, within seven (7) days after the Planning Commission's action, request a hearing by the City Council on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m. **January 13, 2022**.

2. A **WRITTEN PROTEST** is filed, no later than seven (7) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the property by area and number of lots, tracts, and condominium units within the zoning petition area have signed the petition. The zoning petition area includes both the area of the proposed amendment, and the area within 150 feet of the proposed amendment, including all rights-of-way. For condominium, townhouse and other types of ownership with common lands, authorized property owner signatures are required. Please see Planning and Development Department Staff for additional information prior to gathering signatures.

   To require a three-fourths vote of the City Council for approval, a written protest for applications on this agenda must be filed with the Planning and Development Department by 5:00 p.m. **January 13, 2022**

   The Planning and Development Department will verify ownership by protestors to determine whether or not a three-fourths vote will be required.

3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an $830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. **January 20, 2022**.

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

GPA-SM-2-21-8 AND Z-31-21-8
APPLICATION NO.

SE corner of 19th Ave. & West South Mountain Ave.
LOCATION OF APPLICATION SITE

Jan 6, 2022
DATE APPEALED FROM

☒ OPPOSITION
☐ APPLICANT

Nayeli Sanchez Luna
PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

H. Jewel Clark
PRINTED NAME OF PERSON APPEALING

H. Jewel Clark
SIGNATURE

2020 W. South Mountain Ave.
STREET ADDRESS

Jan. 10, 2022
DATE OF SIGNATURE

Phoenix, AZ 85041
CITY, STATE & ZIP CODE

480.664.9436
TELEPHONE NO.

hjewelclark@fastmail.com
EMAIL ADDRESS

REASON FOR REQUEST
Doesn't confirm to 2015 General Plan for density and rural character. Splits contiguously zoned S-1 & R1-18 community. Does not preserve/enhance neighborhood character and certainty for existing community. Negotiations are ongoing between neighborhood and developer and approval as submitted is premature.

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

Attachment F

From: JoAnne Jensen
To: Enrique A Bojorquez-Gaxiola
Subject: Rezoning Application (Z-31-21) and Minor General Plan Amendment (GPA-SM-2-21), Kimura Gardens Development
Date: Tuesday, November 9, 2021 11:31:27 AM

Hello and good morning -

Thank you for accepting my comments.

The Providence group has been very active in its outreach to neighbors during the planning to develop the property immediately south of Magdalena Estates, where we live - this is greatly appreciated. And, to be fair, they have listened and been responsive to the majority of concerns.

Although I am a member of Magdalena Estate's HOA Board, I have no authority to speak on behalf of the community or our Board, only for our lot 13.

We have several points to make:

Everyone knows that there will be development. We are lucky to have enjoyed our relative isolation for as long as we have. So, the goal is to maintain the property values and quality of life for those who already live here.

The configuration of Kimura Gardens will set an important precedent for the future of this area. The originally presented number of homes was 178 and has been reduced to 150. Still, that is very dense, and the effect upon traffic, light, and noise is going to be significant. Frankly, I would prefer that the density be the same as Magdalena Estates and The Commons to assure continuity within this area.

A discussion point during the planning process has been whether the homes will be one or two stories. I understand the economic ramifications of all single story construction. But the quality of life consequences are also important - more stories means more people, more cars, more light, more noise - all of which mitigate against maintaining the current quiet that we who already live here enjoy.

No one walks away completely satisfied. But, please consider that if all the homes in Kimura Gardens were one story, this would set a good precedent for the future of this area, it would equalize the property values among the three developments (The Commons, Magdalena Estates, and Kimura Gardens), it would create a relatively more tranquil and safe environment.

In sum - if a condition of zoning approval is that all homes are single story, we in lot 13 endorse the other aspects of the development plan as we understand them.

Thank you.

JoAnne Jensen (480-213-6499)

Steven D. Smith
8303 S. 17th Drive
Phoenix AZ 85041

From: Dan Martin
To: Enrique A Bojorquez-Gaxiola
Subject: Fwd: Application to amend zoning ordinance #Z-31-21
Date: Tuesday, November 9, 2021 9:12:50 PM

Enrique,

I would like to concur with my neighbor that a request for a space between the neighborhoods would be welcomed. One of the main reasons that I purchased a home in The Commons community was that the homes did not face another home to their rear. This is why I paid $100K more than my previous home situated in Laveen. Would it be possible to change the road frontage setback to the West on 19th Avenue from 150 feet to 140 feet in order to provide a 10 foot space with a walking path between the two neighborhoods? This essentially would not change the design of the Kumura Gardens but shift it 10 feet to the West.

Sincerely,
Dan Martin
8612 S 16th Dr.
Phoenix, AZ 85041
513-305-0258

---------- Forwarded message ---------
From: **larry Brown** <topbrown10@gmail.com>
Date: Fri, Oct 29, 2021 at 7:48 PM
Subject: Application to amend zoning ordinance #Z-31-21
To: <enrique.bojorquez-gaxiola@phoenix.gov>

Greetings sir,
I am writing again to request a concern about this application for amendment. If the amendment is ratified, I'm concerned that it will negatively impact the quality of life for the residents on the Western perimeter of The Commons at South Mountain neighborhood which is adjacent to this 49.5 acres parcel. By authorizing 2-3.5 du/ac this will result in more than one home being built directly behind each of the homes on this property boundary.

We respectfully request that the zoning require a green space between the 2 neighborhoods since the number of dwellings per acre would result in multiple homes directly behind each of our homes on the western perimeter of our community.
We believe a green space between our neighborhood and the new construction will result in a mutual benefit for all parties involved.

Respectfully,

Larry and Hope Brown
8796 S. 16th Drive
Phoenix, Arizona 85041
(520)313-6339
topbrown10@gmail.com
--
Respectfully,

Larry A. Brown
(520) 313-6339

Attachment G

From: Erin Hegedus
To: Enrique A Bojorquez-Gaxiola; Council District 8 PCC
Cc: bassinby@msn.com; erintkhegedos@hotmail.com
Subject: GPA-SM-2-21-8 (Companion Case Z-31-21-8):
Date: Sunday, November 7, 2021 4:26:47 PM

I am writing to request to speak to the referenced rezoning request by Providence Homes and Newcastle Development.

I want to state in advance that although I would rather maintain the last of the agriculture that is left in Phoenix, I know that ultimately the land will be developed.
I ask for consideration of the following:

- An explanation of how the already exhausted infrastructure of South Mountain Avenue, Dobbins Road and 19th Avenue would tolerate the approximately 300 + more vehicles this development will create.
- Currently, Dobbins Road, South Mountain Avenue and 19th Avenue are only two lane roads surrounded by irrigation canals … In some areas of South Mountain Avenue, this road reduces to one lane.

I am aware that the developer will present to the Council that there is a shortage of housing,, however, there are hundreds of developments underway in this area code which would offset that concern.

Additionally, I ask to respect the Rio Montana Plan that was strategically planned to maintain the integrity of this neighborhood.

Higher density housing and lower cost housing are a conflict to that plan and would negatively affect this neighborhood and any additional interest in retailers that might consider this area.

Respectfully,

Erin Hegedus, CMRP
8630 South 19th Avenue
Phoenix, AZ 85016

Sent from Mail [go.microsoft.com] for Windows

From: Miguel Rubio
To: Enrique A Bojorquez-Gaxiola
Subject: RE: Kimura gardens opposition lette
Date: Tuesday, November 9, 2021 2:18:52 PM
Attachments: image001.png

Hello Enrique once again..

We are opposed to this project ,because it will affect us pretty bad, as we have a hard time getting out of our property on 8020 s 20th ave , every time we get on the intersection of latona and 19th ave , it takes forever for us to have access and having several hundred of vehicles is going to make it worse.

That reason the we bough our property is because we like the rural life, and having all that people living here next to us is going to affect me and my family.

The value on our property is going to decrease and is not what I want for me and my family.

We figth it over this with mister ward on the opposite corner, and this is going to be the same we are a really good community , we stay together and this is what we want for our kids and grandkids.

This is one of the last places the still have the opportunity to have this privacy and this people is trying to take it from us.

We are not opposed of them building we just wanted to preserve large lots and low density.

I am pretty sure that you guys would do the same for your family.

Thank you very much and have a great day.

MIGUEL RUBIO

RB CONTRACTING LLC
8020 S 2OTH AVE
PHX,AZ 85041
(602) 366 9334

From: Enrique A Bojorquez-Gaxiola
Sent: Tuesday, November 9, 2021 8:15 AM
To: Miguel Rubio
Subject: RE: Kimura gardens

Good morning Miguel,

How are you? You may email me your opposition letter in regards to this project (Case Nos. GPA-SM-

2-21-8 and Z-31-21-8).

Let me know if questions arise.

Thank you!

Enrique Bojórquez Gaxiola
Planner III
City of Phoenix
Planning & Development Department
Long Range Planning Division
200 W. Washington Street
Phoenix, AZ 85003
Office: (602) 262-6949

PLANNING & DEVELOPMENT
PRESERVE
SHAPE
BUILD

I am currently working remotely on a rotational schedule, but will be checking voicemails multiple times per day. Please feel free to leave me a voice message or email me for a more timely response. Thank you.

From: Miguel Rubio <Rb_contracting1lc@outlook.com>
Sent: Monday, November 8, 2021 9:10 PM
To: Enrique A Bojorquez-Gaxiola <enrique.bojorquez-gaxiola@phoenix.gov>
Subject: Kimura gardens

Hello Enrique, this is MIGUEL RUBIO.

I would like to know where can I send my opposition letter to..?

Rb contracting llc
8020 s 20th Ave
Phoenix az, 85041
602 366 9334

Racelle Escolar

From: Robin Shared <steven.rebekah.hz@gmail.com>
Sent: Tuesday, November 30, 2021 12:17 PM
To: Racelle Escolar; Enrique A Bojorquez-Gaxiola; PDD Planning Commission; Council District 8 PCC; Adriana Garcia Maximiliano
Subject: community comments re development case numbers: Z-31-21 and GPA-SM-2-21

Hello,

I am writing to express my concerns about the proposed Kimura Gardens development at the intersection of South Mountain Lane and 19th Avenue. Some of these concerns are specific to this development and its developer (Providence Homes), while others, especially traffic and flood management, relate to both Kimura Gardens and to the area as a whole including other developments in planning stages.

For the reasons below, I'm requesting more time for the community, the city and the developer to work together to find solutions to the concerns about this development and the way the approvals process has functioned thus far.

Providence Homes proposes to build a development on about 49 acres with at least 160 units at the SE corner of 19th Ave and South Mountain Lane.

The busiest corner of South Mountain lane is the northeast corner where Magdalena Estates development has 26 houses. Immediately east of the proposed location for Kimura Gardens is another Providence Homes development, The Commons, which has 35-40 homes. The northwest corner has 3 houses and the southwest corner is open land.

There is no way that 160 units in the middle of this community will not have a serious impact that goes far beyond obliterating the very real neighborhood character that Providence Homes claims to respect.

South Mountain Lane is a very busy stretch of multipurpose road that includes traffic from pedestrians, bicycles and equestrians in addition to a wide variety of vehicle traffic from Mini Coopers to large scale farm equipment.

Improvements are needed to make this area safe for the wide variety of foot, bike, horse and vehicle traffic that are already exists. Simply widening the road will not be sufficient, as functional wide paths are needed to safely separate the volume of diverse traffic the area already gets.

Adding at least 160 vehicles to this area will be an immediate and serious unsafe impact on everyone who uses this street.

Flooding off of South Mountain is an ongoing issue in the area as a whole and especially at the intersection of 19th Ave and South Mountain Lane. This intersection is not safe to drive through in any amount of rain, which at times will flood not only the intersection but much of 19th Ave north of the intersection.

Replacing what is currently a highly absorbant cotton field on the southeast with houses, streets and driveways will significantly impact water movement in this area which must be considered and safely managed to protect drivers on 19th Ave as well as the existing properties that surround the area.

This is especially a concern given that the developer representative claimed in the November 9 meeting that he doesn't have up to date flood maps because he hasn't been "given them." (This despite multiple attempts to rush the process).

We absolutely do not want a development going in near us that threatens our safety in multiple ways, as Kimura Gardens currently does by proposing to more than double the drivers at this intersection without

making plans for traffic or flooding, let alone showing any awareness or respect for the community's semi-rural zoning and lifestyles.

The developer has also told multiple people in the community that Providence Homes will show their respect for the community by committing to single story buildings, to following the Rio Montana plans and to minimal zoning increases - yet in meetings, he proposes increasing units per lot to 3.5 (instead of 2) and showed multistory buildings with garage prominent designs. The developer's representative also responded with noticeable aggravation to questions about the multiple significant deviations from he Rio Montana plans they claim to be following and to questions about the discrepancies between the several different lot layouts shown and the inconsistent representation of green areas which make evaluating the plans for lot size, unit size and responsible water management impossible.

In addition to my concerns about Kimura Gardens and about large scale development in the South Mountain Village area, I have serious concerns about the procedures and transparency of the Nov 9 zoning meeting.

In this meeting, the developer took intellectual property from community members and incorporated it into his presentation with the aid of the staff who set up the meeting and shared her materials without her knowledge or consent, while in turn the developer's presentation materials were not made available to other commenters by the staff.

This is highly concerning - as are the multiple procedural irregularities noted by board members throughout the meeting and especially during this presentation. Procedural concerns included (but were not limited to) the developer's presentation being submitted late, the board members not having a chance to review the material, the developer rushing approval process steps and trying to piggyback additional approvals into the process and other breaks with procedure for the process and for the meeting itself.

The impression given to the audience was that participation in the approval process is not equal or transparent and that many of the board members are willing to skip following procedure and not listen to the board members who are concerned about following the rules laid out for equity and transparency.

Best,
Rebekah

Racelle Escolar

From: Gina Johnson <bakergmb@gmail.com>
Sent: Tuesday, November 30, 2021 3:30 PM
To: PDD Planning Commission; Southmountainand19th@gmail.com
Subject: 12/2/21 comment for Item 4. GPA-SM-2-21-8

Hello,
I am a resident of Magdalena Estates, adjacent to the general plan amendment consideration for Kimura Gardens at 19th Ave and South Mountain Ave, Item 4: GPA-SM-2-21-8 (Item 3: Companion Case Z-31-21-8) . I would like to appeal to the committee to ensure the general plan submitted aligns to the City plan of Rio Montana recommendations and continue this request by sending back to the South Mountain Village Planning Committee for further review, community discussion, and planning.

Rio Montana plan states the closer to South Mountain the lesser the density. I believe this property should be zoned as R1-18 to support 2.34 (with bonus) units/acre rather than the proposed R1-10 that would put 3.25 units/acre. This is too dense for this rural area. I understand the growth of Phoenix, but we must maintain quality of rural life in one of the few places in Phoenix it's still found while maintaining mountain view property values. The developer has much to do still to support the Rio Montana plan and enhance the South Mountain area, not continue to reduce it.

Additionally, the staff for the South Mountain Village (SMV) Planning Committee handled this process poorly by trying to rush through the GPA and the rezoning at the same time with insufficient time for review by the SMV Planning Committee and the Public. Not allowing the neighborhood to provide input on the GPA. Thankfully, the committee recognized this poor management and continued the zoning process.

It is not often I would submit my comment but I care for this community, the resale values. and continued uplifting and improvement of South Phoenix areas. Please consider not approving this General Amendment Plan and send it back to the South Mountain Village Planning Committee. As of 11/29/21 the developer didn't have an amended plan to share with the community or to present to you. I think they need more time to complete their plan and I ask that you, at minimum, continue this request for the developer to submit an adjusted plan.

Thank you,
Gina Johnson
Magdalena Estates
1816 W. Magdalena Lane Phoenix, AZ 85041
bakergmb@gmail.com

Racelle Escolar

From: Steven Higginbotham <steven.w.higginbotham@gmail.com>
Sent: Tuesday, November 30, 2021 5:13 PM
To: Racelle Escolar; Enrique A Bojorquez-Gaxiola; PDD Planning Commission; Council District 8 PCC; Adriana Garcia Maximiliano
Subject: community comments re development case numbers: Z-31-21 and GPA-SM-2-21

I'm commenting as a community resident near where Kimura Gardens will be built, to ask that the approval process be slowed.

There are several concerns about this development that have yet to be answered, including safety issues for current residents and future residents. The infrastructure in this area is simply not prepared for 160 units and the estimated 300+ more drivers that would accompany them. The intersection at South Mountain Lane and 19th Avenue is already overwhelmed with just two neighborhoods under 40 units each, as is South Mountain Lane, which is barely a lane and a half.

Our community supports development that follows zoning R1-18 and layouts like that in the Rio Montana Plan.

I believe more time would allow the community, the city and the developer to work together to find solutions to the concerns.

Sincerely,
Steven Higginbotham

--
Steven Higginbotham

Racelle Escolar

From: Erin Hegedus <erinTKhegedus@hotmail.com>
Sent: Tuesday, November 30, 2021 5:21 PM
To: PDD Planning Commission; Adriana Garcia Maximiliano; Council District 8 PCC; Council District 3 PCC; Enrique A Bojorquez-Gaxiola
Subject: Z-31-21-8

I am writing to address my concerns with the referenced plan as it does not conform to the Rio Montana Plan that was purposely thought out to maintain the integrity of this unique are in Phoenix. There are few areas of this density and agriculture presence in the valley and once developed will never return.

Among my concerns are the following:

- Alleys for rear entry garages (indicated in the Rio Montana Plan for R1-10 and lower density)
- Side entry garages if not all areas can have alleys
- Any garages left that are font-facing have a minimum 10' setback to the front of the house. All of the facade examples have front facing garages that are or are nearly 50% of the front of the house. This is a no-no.
- Actual porches on all home designs. This is in the stipulations by the city planning staff but not reflected in the housing design examples. That said, the staff does not recommend adherence to those designs.
- Staggered lot sizes side by side. The RM Plan specifically calls for lot widths to vary in an alternating pattern, for example: 55ft, 65ft, 55ft, 65ft, etc. As laid out, the current site design groups the same sized lots together.
- Commitment to drought tolerant/native trees on properties and not just in the open spaces to mitigate heat island effect.
- Shaded sidewalks within the development and not just on the perimeter landscaping
- Preserve irrigation (this was a subject requested/asked about by one of the committee members)
- LEED building practices

Additionally, and most importantly to me, the infrastructure does not support the current traffic, let alone the additional traffic that the request for increased density will bring to the area.

I ask for you to look at this request with the eyes that believe in maintaining unique neighborhoods in Phoenix.

Thank you.

Erin Hegedus, CMRP
8630 South 19th Avenue
Phoenix, AZ 85041

Racelle Escolar

From: H. Jewel Clark <hjewelclark@fastmail.com>
Sent: Tuesday, November 30, 2021 5:44 PM
To: PDD Planning Commission
Cc: Racelle Escolar; Enrique A Bojorquez-Gaxiola
Subject: Comments for Item #4, Case GPA-SM-2-21-8 - City of Phoenix Planning Commission meeting- Dec. 2, 2021

Agenda item #4, Case GPA-SM-2-21-8

To Whom It May Concern,
I am writing to oppose the approval, at this meeting, of case GPA-SM-2-21-8, which changes the zoning of 49.5 acres on the southeast corner of 19th Ave. and West South Mountain Ave. from S-1 to R1-10 and request that it be returned to the South Mountain Village Planning Committee for further discussion in conjunction with its companion case Z-31-21-8.

My husband and I have our home at 2020 W. South Mountain Ave., and we have owned that property since Nov. 2009. We purchased in the area for the larger lots, custom homes, and equestrian/rural character of the South Mountain area. While we are not opposed to development, we and our neighbors strongly believe that the design and planning guidelines of the 2015 Phoenix General Plan and the Rio Montana Plan be adhered to- just as we have adhered to them- when any new development is proposed. That plan, and the future certainty that it provided, factored highly in our decision to buy our property here.

Mr. John Poulsen of Providence Homes has requested a zoning density of R1-10 that is flatly incompatible with the neighborhood character of the surrounding area and in an area with a known history of street flooding and undeveloped infrastructure. That said, Mr. Poulsen does seem to be working in good faith with the neighbors to try and find compromise, and we welcome that. However, there is much that is still up in the air. Mr. Poulsen and Ben Tate from Withey Morris met for the first time since the SMVPC meeting just this Monday, Nov. 28, with the neighbors to hear our concerns and our ideas. We felt the conversation was productive, but they have not had time to draft any changes to the site plan to present or have additional dialog with the neighbors as of this letter.

The companion case Z-31-21-8 was not approved by the South Mountain Village Planning Committee because there was a lack of adherence to the Rio Montana Plan, many neighbors were opposed- citing very real concerns about neighborhood character, home values, and inadequate infrastructure for traffic and flooding- and that the city planning staff did not submit their documents until the Friday before the meeting, providing inadequate time for the public and the committee to thoughtfully review the proposal.

I respectfully request that GPA-SM-2-21-8 remain with its companion case Z-31-21-8 at the South Mountain Village Planning Committee in the approval process and only move forward once Mr. Poulsen and the neighbors have had more time to work together and resolve the development concerns therein.

Jewel Clark
2020 West South Mountain Ave.
Phoenix, AZ 85041
480.664.9436
hjewelclark@fastmail.com

--
H. Jewel Clark
hjewelclark@fastmail.com

Racelle Escolar

From: JoAnne Jensen <joannejensen@cox.net>
Sent: Tuesday, November 30, 2021 5:48 PM
To: PDD Planning Commission
Subject: Z-31-21-8 and GPA-SM-2-21-8

Hello and thank you for taking my comments.

We live in Magdalena Estates, a group of homes immediately north of the planned Kimura Gardens development.

First – thanks to the Poulson group for engaging in ongoing conversations with us and our neighbors to best work out how we all can be comfortable with inevitable change. They have been very attentive and have been patiently willing to modify their plans.

In fact, a sizable group of neighbors met with Mr. Poulson and Mr. Tate on the afternoon of Monday (11/29) at the planned Kimura Gardens site to review our collective wants and needs. And, as of this writing, a telephonic conference call is being scheduled for later this week.

Which brings me to my second, and main, point. The review process for these two requests (which go hand in hand) is so compressed that it is ahead of the ongoing evolution of the plan. In other words, there has been no time to formalize the modifications. This is not the fault of the Planning Commission or of any governmental organization, it is just a timing issue. And timing issues can easily be remedied by taking a time out, which by no means is the same as denying a request.

This is my request – can we please return to the Village Planning level with both requests and take a breath before any further formal action is taken? We need this to give us a chance to help prepare the best possible development plan which will be acceptable to the largest number of people and to present a concrete proposal rather than an ever changing and amorphous concept. Procedurally and administratively, it makes most sense is these two requests are kept in synch. Just as it makes the most sense for all the details to be in place before the concept it approved.

There is no one with whom I have spoken who opposes development, if the density and home sizes / construction are consonant with The Commons and Magdalena Estates. We know growth and change are coming and, when properly done, will bring benefits for everyone. The willingness of Mr. Poulson and Mr. Tate to sit and discuss and listen is impressive and I am confident that by encouraging the design guidelines from the Rio Montana Plan for this area, the Poulson group will find support. We purchased our home because of the demographics, the lot sizes, the quality of construction, and the quiet rural nature of Magdalena Estates. Our goal is to continue that quality of life.

Thank you for considering my remarks. Based on comments from other neighbors, I can safely say that this represents the perspectives of the majority of our community.

Racelle Escolar

From: Dianne Olivo <tdranch@icloud.com>
Sent: Thursday, December 2, 2021 1:17 PM
To: PDD Planning Commission
Subject: GPA-SM-2-21-8

I am directly across from this proposed project.
I am opposed to the rezoning of agriculture property it should remain as zoned agriculture And 1 dwelling per acre for following reasons:
1 Density would increase strain on already stretched water resources especially during drought. There should be an impact study of the water use and needs as well as all the other reasons i.e. traffic and especially the pollution impact of adjacent neighbor to south (produces methane gas) into the air.
2- buildout irrigation throughout development to each 1 acre lot and increase pricing to offset.
3- Bottom line there is no proven need for more nondescript housing anywhere currently. especially taking out valuable agricultural quickly disappearing land to be paved under asphalt adding to our climate change and O-Zone problems that's why we have zoning and hopefully responsible people on the board

Dianne Olivo
TDRANCH
8804 S 19th Ave

From: Steven & Rebekah Higginbotham
To: Council District 8 PCC; Enrique A Bojorquez-Gaxiola
Subject: I support continuance for cases Z-31-21-8 and GPA-SM-2-21-8
Date: Sunday, December 12, 2021 9:45:30 PM

I live near 19th Avenue and South Mountain and I support continuance for cases Z-31-21-8 and GPA-SM-2-21-8 (aka Kimura Gardens).

Best,
Rebekah

From:	Steven Higginbotham
To:	Enrique A Bojorquez-Gaxiola; Council District 8 PCC
Subject:	I support continuance for cases Z-31-21-8 and GPA-SM-2-21-8
Date:	Sunday, December 12, 2021 10:18:14 PM

Hello,

I live near 19th Avenue and South Mountain and I support continuance for cases Z-31-21-8 and GPA-SM-2-21-8 (aka Kimura Gardens).
.

Steven Higginbotham
1804 w Magdalena Ln, Phoenix, AZ 85041

--
Steven Higginbotham

From:	Patti Trites
To:	Enrique A Bojorquez-Gaxiola
Cc:	Tamala Daniels; trentchristopher@gmail.com; Marcia Busching; twanna.bhna@yahoo.com; Greg Brownell; edward@yourgreatestself.com; Adriana Garcia Maximiliano
Subject:	REquest to speak and comment: Z-31-21-8 GPA-SM-3-21-8
Date:	Monday, December 13, 2021 12:05:57 PM

Dear Enrique

I would like to register to at tomorrow's SMVPC.

I would like to also speak for Agenda Item # 6 & 7 for Z-31-21-8 companion case GPA -SM - 3-21-8

- **Thank you in advance for contacting the Maricopa County Flood Control District and looking at the flood maps of this property.**

- **Thank you also for keeping the entrance and exit into this new proposed community off of 19th Avenue.**

19th Avenue is the entrance to the South Mountain Trailhead: 19th Ave. (Ma-Ha-Tauk) Trailhead at 10484 S. 19th Ave.

Per the COP own site: At more than 16,000 acres, South Mountain Park/Preserve is one of the largest municipally managed parks in the nation and consists

of three mountain ranges - the Ma Ha Tauk, Gila and Guadalupe. The park boasts more than 50 miles of trails for hiking, horseback riding and mountain

biking. Additionally, the roadways throughout the park are a favorite for bicyclists.

- **Safety and the beauty of South Mountain should be maintained as new development happens in the area.**

Many people - residents and visitors - utilize 19th Avenue as their entrance onto South Mountain Trailhead.

Keep it safe. Do not allow entrance or exits onto 19th avenue for new developments.

- Flood Control and COP are also planning on a 66" storm drain pipe and catch basins along 19th Avenue to South Mountain.

Keep 19th Avenue free of resident traffic as possible for safety.

- **Please keep the South Mountain Area looking complementary to its surroundings;**

1. Avoid block walls 'prison' effect around the new communities.
2. Please include plenty of plants/trees and Decorative Iron Fencing to surround the new developments.
3. Please have interior green space for the new residents.

These three items - when done correctly - will enhance the area and match the unique South Mountain Preserve Area.

Lets keep South Mountain Preserve beautiful.

Thank you.

Patti Trites
Homeowner at South Mountain
President of Southern Hills HOA

Cell: 402 213 7126

Email: pattihoash@gmail.com

From:	Erin Hegedus
To:	Enrique A Bojorquez-Gaxiola
Subject:	Kimura - case Z-31-21-8 (GPA-SM-2-21-8 is currently continued)
Date:	Monday, December 13, 2021 6:45:09 PM

I am asking for a continuance to this case.

The developer has recently met with the community but has submitted to the Council a different plan that was discussed. I believe this project is being accelerated without documentation on what the community is asking in order to maintain the character and diversity of our neighborhood.

I am extremely concerned with how the infrastructure is going to support this development in addition to the existing, let alone the new homes that are currently under construction on South Mountain Avenue and Dobbins Road.

These roadways are 1 to 2 lane roads that currently cannot support the traffic, I ask that you consider this, and before approving further development, conduct a study plan in advance to understand the impact, not only on the traffic but the heat island this and other developments are creating.

Respectfullly,
Erin Hegedus
8630 South 19th Avenue

Sent from Mail [go.microsoft.com] for Windows

From: JoAnne Jensen
To: Enrique A Bojorquez-Gaxiola
Subject: Z-31-21-8 and GPA-SM-2-21-8 Continuance Recommendation
Date: Monday, December 13, 2021 7:54:18 PM

Hello -

This is to request a continuance for item Z-31-21-8, to rezone the 49.5 acre parcel on the southeast corner of 19th Avenue and South Mountain to R1-18.

The community is in ongoing discussions with the Providence group, who is developing this parcel. The current stipulations do not and will likely not be reflected in the final proposal, when all is said and done. It is my feeling that the South Mountain Village Planning Committee should have the opportunity to review the final version and make its recommendation to the Planning Commission based on something that is more than notional.

We thank the Providence group for their time and attention to the neighbors and hope that we are nearing completion of our talks.

We also believe that there is no harm done by taking a deep breath; by taking our time, we will get it right rather than rushing into something which is ill-conceived and which may have unintended consequences.

Please add me to the list of those requesting a continuance. A continuance is not a rejection, nor does it equate with opposition. We know there will be development, we just want to be sure it is appropriate to this area.

Thank you all very much for your efforts on behalf of our unique rural community.

JoAnne Jensen
8303 S. 17th Drive (Magdalena Estates)
Phoenix AZ 85041
480-213-6499

Enrique A Bojorquez-Gaxiola

From: H. Jewel Clark <hjewelclark@fastmail.com>
Sent: Tuesday, December 14, 2021 11:40 AM
To: Enrique A Bojorquez-Gaxiola
Subject: Re: Opposition to Cases GPA-SM-3-21-8 and Z-58-21-8 - SMVPC meeting Dec. 14, 2021

Hi Enrique,

Thank you! Here's my letter for Kimura.

Opposition to case Z-31-21-8, agenda item #6
I am writing in opposition to the Kimura Gardens development project (case number referenced above) and to request a continuance for the reasons stated here.

Despite the committee voting to approve the General Plan Amendment (case GPA-SM-2-21-8), both plans are overwhelmingly opposed by the surrounding community for the principal reason that the density is wholly inappropriate for our area in addition to issues of traffic, flooding, and heat island concerns that have not been addressed. Since the last committee meeting there have been other developments that keep the community opposed to the plan as submitted.

We've had some challenges in working with Withey Morris and Mr. Poulsen to find common ground.

The Vice Mayor is aware of the neighborhood's concerns and has arranged a meeting, which he will attend, for the neighbors and Mr. Poulsen/Withey Morris to talk through our outstanding issues with this development. That meeting is scheduled for Wednesday, Dec. 15. A continuance until such talks are complete is respectfully requested.

Sincerely,
Jewel Clark
2020 W. South Mountain Ave.
Phoenix, AZ 85041

--
H. Jewel Clark
hjewelclark@fastmail.com

On Tue, Dec 14, 2021, at 8:16 AM, Enrique A Bojorquez-Gaxiola wrote:

> Good morning Jewel,
>
> How are you? Thank you for sending over the following information on these two cases. I will save a copy in the case file and will share it with the South Mountain VPC as well.
>
> By the way, the Chair has agreed to hear your presentation tonight. I would anticipate maybe 2 minutes for the presentation, but she will assign the actual time to all speakers.

From:	Dean Chiarelli
To:	Enrique A Bojorquez-Gaxiola
Subject:	December 14: SMVPC Meeting
Date:	Tuesday, December 14, 2021 11:45:32 AM
Attachments:	Outlook-rmpvn2ah.png Outlook-o00zkkho.png

Mr. Bojorquez-Gaxiola:

I have been a South Mountain resident and homeowner for 9.5 years. I registered for the South Mountain Village Planning Committee meeting on December 14th and would like to comment if possible. In case I cannot speak, I'm documenting my opposition to three rezoning items. The Committee should disapprove rezoning to increase the number of residential units. The proposed changes will cause excessive vehicle traffic and congestion on the local streets. The new homes currently under construction in the surrounding area are not even fully built yet, and there is already much traffic at the intersection where 19th Avenue meets Dobbins Road. Many of the streets in the rezoning area were built as "country roads" -- not meant for higher-density residential developments. In the future, there should be a new traffic study when the latest homes along the Dobbins corridor (7th Avenue to Loop 202) are occupied.

The right developers for this land should integrate their plans within the current zoning. The South Mountain area is a unique and historic location, and it is quickly becoming a generic bedroom community with roads not built to meet the needs of higher-volume residential developments.

Z-31-21-8 (Companion Case GPA-SM-2-21-8)- OPPOSE

GPA-SM-3-21-8 (Companion Case Z-58-21-8)- OPPOSE

Z-58-21-8 (Companion Case GPA-SM-3-21-8)- OPPOSE

Dean Chiarelli, Mobile phone 702-994-8077

Dean Chiarelli, MA, RDN, CEP, CHES, REHS
Clinical Assistant Professor
ASU Edson College of Nursing and Health Innovation
Arizona State University
500 North 3rd Street | Phoenix, AZ 85004
Ph: 602.496.1867 | dean.chiarelli@asu.edu
https://nursingandhealth.asu.ed [nursingandhealth.asu.edu]



Racelle Escolar

From: Dean Chiarelli <Dean.Chiarelli@asu.edu>
Sent: Monday, January 3, 2022 5:24 PM
To: PDD Planning Commission
Subject: SMVPC Meeting January 6th - Opposition Notice

To South Mountain Village Planning Committee:

Re: Meeting Thursday, January 6th

I am strongly opposed to the items indicated below and request to speak.

Case numbers GPA-SM-3-21-8 and Z-58-21-8 (Agenda items 2 and 3).
Case numbers GPA-SM-2-21-8 and Z-31-21-8 (Agenda items 8 and 9).

I am opposed to the items because of excessive congestion on surface roads. The SMVPC is authorizing excessive approvals of rezoning in the area in tandem with a lack of new cultural amenities/ businesses to enhance quality of life in the area. The rural character of the area is rapidly changing for the worst, and this is against the City of Phoenix planning codes and Food Plan for South Phoenix. I respectfully request an updated traffic study which includes activity for homes currently under construction in the Dobbins Corridor. There are new homes along Dobbins Road from 16th Street all the way to the Loop 202 which aren't even built yet that will increase the congestion.

I also want to express concern the Chair of the Committee stated in the December 2021 meeting that she is a Realtor who grew up in South Phoenix. There is an appearance of bias towards approval of higher-density residential zoning for which the Chair may personally benefit.

Dean Chiarelli, MA, RDN, CEP, CHES, REHS
Clinical Assistant Professor
Edson College of Nursing and Health Innovation
Arizona State University
500 North 3rd Street | Phoenix, AZ 85004
Ph: 602.496.1867 | dean.chiarelli@asu.edu
https://nursingandhealth.asu.ed [nursingandhealth.asu.edu]

Racelle Escolar

From: rob@copperstatemetals.com
Sent: Tuesday, January 4, 2022 8:49 AM
To: PDD Planning Commission
Subject: GPA-SM-2-21-8 and Z-31-21-8 items 8 and 9

4 JAN 2022

Honorable Planning Commission Members:

We are writing to voice our opposition to the Kimura development as it currently stands. Our concerns are the increase in traffic on streets which are already used beyond their capacity. By any definition, portions of South Mountain Ave. and 15th Ave. are only one lane and poorly maintained. Additionally the intersection of South Mountain and 19th Ave. is already dangerous and will only get worse with the addition of well over 100 homes in this development alone. We would also ask the Commission to consider the effect on the property values of the current residents. Most lots are 1/4 acre and more in the area, and most homes are well over 2200 sf as well as single story only. Allowing smaller homes on smaller lots will only exacerbate the current traffic and drainage issues in the area and negatively impact the property values of the established residents in order to allow the developers to make more money. This is not good for the community and it is not just. Thank you for your time and consideration.

Respectfully,

Robert D. Barnes
Geniveve R. Tapia

8312 S. 18th Lane
Phoenix, AZ 85041

Racelle Escolar

From: azleatherking <azleatherking@aol.com>
Sent: Tuesday, January 4, 2022 3:19 PM
To: PDD Planning Commission
Subject: Kimura project 19th ave

My name is Don Olson, and I own 8640 s 19ave, across the street from the proposed Kimura project. I am vehemently opposed to the density of homes being asked for by the developer. This area is ag/residential, and the infrastructure does not support what is here now, much less adding 150 houses.
GPA-sm-2-21-8
Z-31-21-8

Don olson 8640 s 19 ave, phx 85041
602 434 5641

Sent from my T-Mobile 4G LTE Device

Racelle Escolar

From: Steven & Rebekah Higginbotham <steven.rebekah.hz@gmail.com>
Sent: Tuesday, January 4, 2022 4:14 PM
To: PDD Planning Commission; Council District 8 PCC; adriana.garcia.maximilliano@phoenix.gov
Subject: I support continuance for cases Z-31-21-8 and GPA-SM-2-21-8

I live near 19th Avenue and South Mountain and I support continuance for cases Z-31-21-8 and GPA-SM-2-21-8 (aka Kimura Gardens) on the following grounds: discussions between discussions between the community and the developers are ongoing and the currently submitted stipulations are not only inconsistent with those conversations but also inadequate for the safety and quality of life of this community.

Best,
Rebekah

Racelle Escolar

From: Steven Higginbotham <steven.w.higginbotham@gmail.com>
Sent: Tuesday, January 4, 2022 4:14 PM
To: PDD Planning Commission; Council District 8 PCC; adriana.garcia.maximilliano@phoenix.gov
Subject: I support continuance for cases Z-31-21-8 and GPA-SM-2-21-8

I live near 19th Avenue and South Mountain and I support continuance for cases Z-31-21-8 and GPA-SM-2-21-8 (aka Kimura Gardens) on the following grounds: discussions between discussions between the community and the developers are ongoing and the currently submitted stipulations are not only inconsistent with those conversations but also inadequate for the safety and quality of life of this community.

--
Steven Higginbotham

Racelle Escolar

From: Ravi Sharma <ravi6161sharma@gmail.com>
Sent: Tuesday, January 4, 2022 5:03 PM
To: PDD Planning Commission
Cc: Council District 8 PCC; adriana.garcia.maximilliano@phoenix.gov
Subject: Item # 2 and Case # GPA-SM-3-21-8, Item #3 and Case # Z-58-21-8, Item # 8 and Case #GPA-SM-2-21-8 (Continued from 12/2/2021), Item # 9 and Case #

Z-31-21-8 (Continued from 12/2/2021)

We are opposed to the proposed changes.

Dr. Ravi and Mrs. Snigdha Sharma

From: JoAnne Jensen <joannejensen@cox.net>
Sent: Tuesday, January 4, 2022 5:08 PM
To: PDD Planning Commission <pdd.planningcomm@phoenix.gov>
Cc: Adriana Garcia Maximiliano <adriana.garcia.maximiliano@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>
Subject: GPA-SM-2-21-8 and Z-31-21-8 / Kimura Gardens

Hello and thank you for taking my comments.

My name is JoAnne Jensen, our address is 8303 So. 17th Drive, Phoenix AZ 85041; this is in Magdalena Estates, which is to the immediate north of the parcel which the Providence group wishes to develop, and which is the subject of the two requests, named above.

I have been one of two points of contact between the South Mountain neighbors and the Providence group and thank Mr. Poulsen, Ben Tate, and Adam Baugh of the Providence group for their patient attention throughout our discussions.

It is important to note that these discussions are ongoing and in fact, the present stipulations are out of date with current conversations and likely agreements. What we need more than anything is a continuation so that we can maintain progress toward resolving our remaining differences.

If a continuation is not granted, then I cannot support the current stipulations, particularly the absence of robust heat mitigation measures and the presence of a high number of dwellings. To be very specific – this is not an objection to the development, or to a future agreement regarding stipulations, but solely to the current stipulations – density and absence of heat mitigation efforts.

General consensus within this community is that responsible development in the face of climate change and the proximity of the warmest location in Phoenix must necessarily include heat mitigation efforts. One might argue that heat mitigation efforts on one 50 acre development will make no difference – but this is the kind of argument which has led to today's problems with excessive heat and parching conditions. Absent sufficient stipulations, this plan is unacceptable.

Neighbors do not object to development, per se, however we feel it should be in keeping with the Rio Montana general plan, which was in place when we each decided to invest in this rural and agricultural part of town. There is a general sense that the concerns of current residents and business owners are being set aside to meet economic interests of the developer. We would not have objected to R1-18 zoning. Indeed, we would not have objected to R1-18 with bonus, which would have enabled 114 dwellings, as that is similar to the two adjacent developments, The Commons (which, incidentally, is also a Providence development) and Magdalena Estates. However, we do not support the building of 156 homes, as the stipulation currently reads. Mr. Poulsen and the Providence group have argued that they have been making many concessions – from two stories to one, from 180 units to 173 to 156, and these are appreciated. However, the neighbors likewise feel that density beyond R1-18 with bonus is a significant concession.

We are concerned that the last City traffic study in this area with in the 2012 – 2013 timeframe. Since then, quite a few homes have been built and we believe that the addition of this development at the currently requested density will lead to even more traffic congestion than we already experience. At present, the thoroughfares are woefully inadequate to support this level of growth and developers are required to improve only the lengths of pavement parallel to the development property line. We believe that the lack of uniformity will not be sufficient to provide safe and uncongested traffic flows on either 19th Avenue or South Mountain.

In summary – my primary request is that the Planning Commission issues a continuation for the two above-referenced requests so that the neighbors and the Providence group can pursue ongoing discussions and come to a reasonable resolve. Again, we do not object to development, per se, but we request time to achieve this goal.

Thank you for your time and attention.

JoAnne Jensen
Cell – 480-213-6499
Email – joannejensen@cox.net

Racelle Escolar

From: Erin Hegedus <erinTKhegedus@hotmail.com>
Sent: Tuesday, January 4, 2022 5:47 PM
To: PDD Planning Commission; Council District 8 PCC; Adriana Garcia Maximiliano
Subject: GPA-SM-2-21-8 and Z-31-21-8

I am writing to request a continuance of the referenced. We have had very promising negotiations with the developer, however, we ask that a formal submission of the changes the developer agreed to be presented to the neighbor before this council votes.

Respectfully,

Erin Hegedus, CMRP
8630 South 19th Avenue
Phoenix, AZ 85041

Racelle Escolar

From: H. Jewel Clark <hjewelclark@fastmail.com>
Sent: Tuesday, January 4, 2022 6:01 PM
To: PDD Planning Commission
Subject: Letter of opposition GPA-SM-2-21-8 and Z-31-21-8 (Agenda items 8 and 9)

I am writing to oppose **GPA-SM-2-21-8 and Z-31-21-8 (Agenda items 8 and 9)** and request a continuance on both cases. The surrounding community is still in discussions with Mr. Poulsen and Withey Morris on final density and heat mitigation and the Vice Mayor has scheduled another meeting for us to try to finalize a plan that both the developer and the community can live with Jan. 13. Due to the holidays, it has not been feasible to arrange an earlier meeting since our last one Dec. 15.

The assertion you may hear from Withey Morris that they have been working with the neighbors on this project for a year is not accurate. Withey Morris started dialog with the broader community surrounding this property only in the Fall of 2021, with limited changes from the original plan submitted at the first SMVPC meeting.

For example, Adam Baugh included a timeline in his presentation to the South Mountain Village Planning Committee that read in part:

> "Proposed site plan developed through extensive outreach and input with surrounding residents, additional changes after November SMVPC due to input from on -site neighbor meeting and follow -up conversations."

The plan that was shown at the Dec. 14 SMVPC meeting was stamped by the City Planning Office Nov. 24, ***5 days before the first neighborhood meeting on-site that he references***. The changes on that plan were based on input from the SMVPC, NOT the neighborhood meeting or follow up conversations. The neighbors need to be included in whatever changes are made next.

The community would love to be done with this, but based on the last plan we have seen, it is simply not acceptable to the existing neighbors. However, I am optimistic we can find compromise.

South Mountain is under tremendous pressure from developers, and we are swiftly losing the rural character and agricultural practice that make it such a unique place to live. We have already bought our properties and built to preserve that open, rural sense of place. We want to work with developers interested in building here to create something that fits. We can make that happen but we need you to hold developers accountable to working in good faith with the existing community. We can do it, but we need more time. Please vote to continue.

Sincerely,
Jewel Clark
2020 W. South Mountain Ave.
Phoenix, AZ 85041

--
H. Jewel Clark
hjewelclark@fastmail.com



TD RANCH

January 4, 2022

Mr Vice Mayor Garcia
Cc:Mayor Kate Gallego
CC;Planning commission

RE: Z-31-21 GPA-SM-2-21.
Z-58-21-8 GPA-SM-3-21-8 and Z-71-21-8
GPA-SM-4-21-8

Dear Sir and all,

We wanted to contact you further with our thoughts on the developments that have been proposed that surround our property on three sides. Thank you for your time and "listening" meetings. It appears you have made sincere efforts to understand our community and its true needs. Reflecting on your comments in regards to need for infrastructure funding and support by developers and the balance with our community and "your constituents" opposition.
Clearly you can see these projects are wrong in concept, wrong in vision and complicate the stress that already exists on environment and water. Arizona in general is filled with this type of uninspired walled in "stick built" trailer parks . This area in particular had a plan in place for the type of development and zoning that reflects a blend of development and community .
It is your job and planning persons to be true advocates for your constituents.
Not the carpetbaggers with a slick lawyer that come into agricultural communities create the blight they blindly build and move on forever removing viable fertile land available to agriculture. The innovative Zach Brooks and the Worm Farm represent a future with exciting use and possibilities in agriculture. We urge you and all decision makers to take a stand for the future and our community by sending these developers a "NO SALE" notice.
If zoning is allowed to be changed on all 3 projects, our lives and negative impact will set the table for complete destruction of agriculture within the city limits. These type of developers should be encouraged by the mayor and city to move to inner city blighted lots and build and make it a win win for both. These projects do not represent the highest and best use nor do they address the high demand for quality of life balanced with innovative housing solutions and should be denied out of hand.

Sincerely yours,

Ted and Dianne Olivo

CONTACT

8804 S 19TH AVE PHOENIX AZ 85041, 617-645-8591 TDRANCH@ICLOUD.COM

From:	Erin Hegedus
To:	Enrique A Bojorquez-Gaxiola; Council District 8 PCC; Arizona Republic; Helen Jewel Clark; mijosic@fastmail.fm; JoAnne Jensen; Dianne & Ted Olivo; steamboat332@msn.com; zach@zbrooks.com; Arizona Republic; AZleatherking@aol.com; Rebekah Higginbotham
Subject:	RE: City of Phoenix - Update on case Z-31-21-8
Date:	Thursday, January 6, 2022 9:18:23 PM
Attachments:	image001.png

I have to say I have not witnessed such obvious bias since I lived in the east coat.
Allowance for developers to speak
Commissioners asking developers how much time they needed and then offering citizens one minute.

I am very concerned regarding our council members and the entre planning commission that seems to support developers and have no respect to our citizens

Sent from Mail [go.microsoft.com] for Windows

From: Enrique A Bojorquez-Gaxiola <enrique.bojorquez-gaxiola@phoenix.gov>
Sent: Thursday, January 6, 2022 4:53:10 PM
To: Enrique A Bojorquez-Gaxiola <enrique.bojorquez-gaxiola@phoenix.gov>
Subject: City of Phoenix - Update on case Z-31-21-8

Good afternoon,

How are you? I hope you are doing well. I am reaching out in regards to case Z-31-21-8, scheduled for tonight's Planning Commission (PC) meeting, to inform you that the applicant has submitted an updated site plan and landscape plan for this project. Staff has drafted an updated report (**Addendum B – please see attached**) that reflects updates to the stipulations on the case that were approved by the South Mountain Village Planning Committee in December of 2021.

This report will also be presented to the Planning Commission (PC) ahead of tonight's meeting, in addition to correspondence from the public received on this case.

Please let me know if you have any questions about this report.

Thank you very much,

Enrique Bojórquez Gaxiola
Planner III
City of Phoenix
Planning & Development Department
Long Range Planning Division
200 W. Washington Street
Phoenix, AZ 85003
Office: (602) 262-6949

City of Phoenix

Report

Agenda Date: 2/2/2022, **Item No.** 81

Public Hearing and Ordinance Adoption - Rezoning Application Z-31-21-8 - Southeast Corner of 19th Avenue and South Mountain Avenue (Ordinance G-6959)

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-31-21-8 and rezone the site from S-1 (Ranch or Farm Residence District) to R1-10 (Single-Family Residence District) to allow a single-family detached residential community. This file is a companion case and must be heard following GPA-SM-2-21-8.

Summary

Current Zoning: S-1
Proposed Zoning: R1-10
Acreage: 49.52 acres
Proposed Use: Single-family detached residential community

Owner: New Castle Development, LLC
Applicant: Providence Homes
Representative: Benjamin Tate, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The South Mountain Village Planning Committee heard this case on Nov. 9, 2021 and recommended a continuance by a vote of 9-2. The South Mountain Village Planning Committee heard this case again on Dec. 14, 2021 and recommend approval, per the staff recommendation per the Addendum A Staff Report with a modified stipulation, by a vote of 7-3-1.
PC Action: The Planning Commission heard this case on Dec. 2, 2021 and recommended a continuance, by a vote of 8-0. The Planning Commission heard this case on Jan. 6, 2022 and recommend approval, per the Addendum B Staff Report with an additional stipulation, by a vote of 8-0.
The Planning Commission recommendation was appealed on Jan. 12, 2022.

Location

Southeast corner of 19th Avenue and South Mountain Avenue.
Council District: 8

Parcel Addresses: 1835 W. South Mountain Ave.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-31-21-8) FROM S-1 (RANCH OR FARM RESIDENCE DISTRICT) TO R1-10 (SINGLE-FAMILY RESIDENCE DISTRICT).

_____

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

SECTION 1. The zoning of a 49.52-acre site located at the southeast corner of 19th Avenue and South Mountain Avenue in a portion of Section 6, Township 1 South, Range 3 East, as described more specifically in Exhibit “A,” is hereby changed from “S-1” (Ranch or Farm Residence District) to “R1-10” (Single-Family Residence District).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit “B.”

SECTION 3. Due to the site’s specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations,

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violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. The development shall be in general conformance with the site plan date stamped January 6, 2022, as modified by the following stipulations and approved by the Planning and Development Department with specific regard to the following:

    a. Lots 1 through 28 shall be a minimum of 75 feet in width.

    b. All other lots shall be a minimum of 60 feet in width.

    c. Portions of lots 28 and 29 may be modified to accommodate any required canal frontage standards.

    d. The location of the open space areas.

    e. A minimum of 16 percent of the gross site area shall be provided as open space.

    f. A minimum building setback of 150 feet, exclusive of fencing or entry features, shall be provided along the western perimeter property line along 19th Avenue.

2. The required landscape setbacks shall be planted with minimum 50-percent 2-inch caliper and 50-percent 3-inch caliper large canopy drought-tolerant trees, 20 feet on center or in equivalent groupings, with five 5-gallon shrubs per tree, as approved by the Planning and Development Department.

3. The maximum building height shall be limited to one story and 22 feet.

4. All lots within the development shall be subject to Single-Family Design Review, including 75-foot-wide lots, as approved by the Planning and Development Department.

5. Building elevations shall be developed to the following standards, as approved by the Planning and Development Department:

    a. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco, or other materials to provide a decorative and aesthetic treatment.

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b. A minimum of 50 percent of the elevations for each floor plan shall provide a covered front porch in the front yard with a minimum of 60 square feet in area at a depth of at least six feet. No porch shall terminate within the plane of a door or window.

c. Pitched roofs shall be provided on all building elevations.

6. The development shall be in general conformance with the fencing exhibit (landscape plan) and elevations date stamped October 14, 2021, as modified by the following stipulations and approved by the Planning and Development Department.

a. Full open view fencing shall be utilized where an open space tract is adjacent to a canal.

b. Where view fencing is required by the Zoning Ordinance, a combination of solid masonry wall and view fencing may be utilized. The solid portion of the wall shall not exceed 4 feet in height.

c. Perimeter walls bounding the rear yard property lines of residential lots along South Mountain Avenue shall include minimum 3-foot offsets.

d. Perimeter walls bounding the rear yard property lines of residential lots along South Mountain Avenue shall be limited to a maximum of 5 feet solid and topped with open view fencing, as approved by the Planning and Development Department.

7. Project entry drives along 19th Avenue and South Mountain Avenue shall be constructed of decorative pavers, stamped or colored concrete, or similar alternative material, as approved by the Planning and Development Department.

8. Project entry drives shall incorporate enhanced landscaping on both sides planted with a variety of at least three plant materials, as approved by the Planning and Development Department. Each landscaped area shall be a minimum of 250-square feet.

9. A minimum system of pedestrian connections shall be provided, as described below and as approved by the Planning and Development Department:

a. A system of pedestrian connections to/between via the most direct route:

(1) Amenity areas.

(2) Sidewalks.

(3) Pedestrian path connecting the northern and southern portions of the site via a centralized pathway.

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(4) The common open space tract along the southeast corner of 19th Avenue and South Mountain Avenue shall contain a minimum 8-foot wide pedestrian pathway that connects the development with the sidewalk at 19th Avenue or South Mountain Avenue near the street intersection. This pathway shall be constructed of decomposed stabilized granite, decorative pavers, stamped or colored concrete, or similar alternative material. The landscaped tract shall contain minimum 2-inch caliper shade trees planted a minimum of 25 feet on center or equivalent groupings, along both sides of the pedestrian pathway.

(5) A minimum 8-foot wide pedestrian pathway shall connect the development with the multi-use trail along the Western Canal. This pathway shall be provided within an average 30-foot wide landscape tract and constructed of decomposed stabilized granite, decorative pavers, stamped or colored concrete, or similar alternative material.

(6) The developer shall provide pedestrian access to the Western Canal along the southeastern property line and pedestrian access along both 19th Avenue and South Mountain Avenue. The pedestrian shall be connected to the internal pedestrian pathways by accessible sidewalks.

10. No more than 50 percent of the landscape areas within common areas or 10 percent of the net development area whichever is less, should be planted in turf or high-water use plants. Turf areas should be located only in the common open space areas, including retention basins, as approved by the Planning and Development Department. This requirement does not apply to landscaping located within private yards on individual lots.

11. Open space areas shall be in general conformance with the landscape plan date stamped January 6, 2022, as modified by the stipulations and incorporating the following amenities, as approved by the Planning and Development Department:

a. Tot lot with shade equipment;

b. Two picnic areas each with a barbeque grill, shade ramada and a picnic table;

c. Four benches or seating features; and

d. Garden amenity of no less than a combined 1,000 square feet in size.

12. All sidewalks along 19th Avenue shall be detached with a landscape strip located between the sidewalk and back of curb following the most recent Cross

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Section of the Street Classification Map and planted to the following standards, as approved by the Planning and Development Department.

a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 25 feet on center or in equivalent groupings that provide shade to a minimum 75 percent at maturity.

b. Drought tolerant vegetation to achieve 75 percent live coverage at maturity.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

13. All sidewalks along South Mountain Avenue shall be detached with a minimum five-foot wide landscape strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.

a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 25 feet on center or in equivalent groupings that provide shade to a minimum 75 percent at maturity.

b. Drought tolerant vegetation to achieve 75 percent live coverage at maturity.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

14. The developer shall dedicate a 30-foot-wide multi-use trail easement (MUTE) along the east side of 19th Avenue and construct a minimum 10-foot wide multi-use trail (MUT) within the easement in accordance with the MAG supplemental detail, as approved by the Planning and Development Department. The developer shall work with the Site Planning section on an alternate design for this requirement through the technical appeal process.

15. The developer shall dedicate minimum 50 feet of right-of-way and construct the east side of 19th Avenue, as approved by the Planning and Development Department.

16. The developer shall provide the following dedications and construct the south half of South Mountain Avenue in the following manner, as approved by the Planning and Development Department:

a. Thirty feet of right-of-way between 19th Avenue and 17th Drive.

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b. Forty-four feet of right-of-way east of 17th Drive extending to the eastern boundary of the subject site.

17. The developer shall underground all existing overhead utility lines adjacent to the site.

18. The developer shall provide conduit and junction boxes at the southeast corner of 19th Avenue and South Mountain Road for future traffic signal equipment, as approved by the Street Transportation Department.

19. Existing irrigation facilities along 19th Avenue and South Mountain Avenue shall be undergrounded and/or relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish appropriate process to relocate facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.

20. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

21. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property within the development the existence and operational characteristics of agricultural uses. These documents must advise purchasers that, under Section 3-112(E), Arizona Revised Statues, the City of Phoenix may not declare an agricultural operation conducted on farmland to be a nuisance if the agricultural activity use is lawful, customary, reasonable, safe and necessary to the agriculture industry. The form and content of such documents shall be reviewed and approved by the City prior to recordation.

22. Prior to final site plan approval, the property owner shall record documents that disclosure to purchasers of property within the development the existence and operational characteristics of the Phoenix Regional Police Academy Gun Range. The form and content of such documents shall be reviewed by the City prior to recordation.

23. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

24. The developer shall grant and record an avigation easement to the City of Phoenix Aviation Department for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.

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25. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.

26. In the event archeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archeologist, and allow time for the Archeology Office to properly assess the materials.

27. The developer shall dedicate right-of-way and construct one bus stop pad along northbound 19th Avenue towards the south end of the site. The bus stop pad shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet.

28. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 2nd day of February, 2022.

_____
MAYOR

ATTEST:

_____
Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

DRAFT

By:

_____

_____

REVIEWED BY:

_____

Jeffrey Barton City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-31-21-8

PARCEL NO. 1:
LOT 6 OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

PARCEL NO. 2:
THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE FOLLOWING DESCRIBED PROPERTY;

THAT PART OF THE NORTHEAST OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER SAID CORNER BEING MARKED WITH A CONCRETE MONUMENT;

THENCE WEST (ASSUMEDBEARING) ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER 938.38 FEET TO A POINT MARKED WITH AN IRON PIPE;

THENCE SOUTH 00 DEGREES 3 MINUTES WEST ALONG A FENCE 1296.60 FEET TO A POINT MARKED WITH AN IRON PIPE;

THENCE NORTH 49 DEGREES 47 MINUTES EAST ALONG THE NORTHWEST SIDE OF A DITCH 660.05 FEET TO A POINT MARKED WITH AN IRON PIPE;

THENCE NORTH 40 DEGREES 26 MINUTES EAST CONTINUING ALONG SAID DITCH 250.40 FEET TO A POINT MARKED WITH AN IRON PIPE;

THENCE NORTH 27 DEGREES 30 MINUTES EAST CONTINUING ALONG SAID DITCH 596.80 FEET TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, SAID POINT BEING MARKED WITH AN IRON PIPE;

THENCE NORTH 0 DEGREES 16 MINUTES WEST ALONG SAID EAST LINE 142.93 FEET TO THE POINT OF BEGINNING; AND

EXCEPT ANY PORTION LYING EASTERLY OF THE WEST RIGHT OF WAY LINE OF THE WESTERN CANAL.

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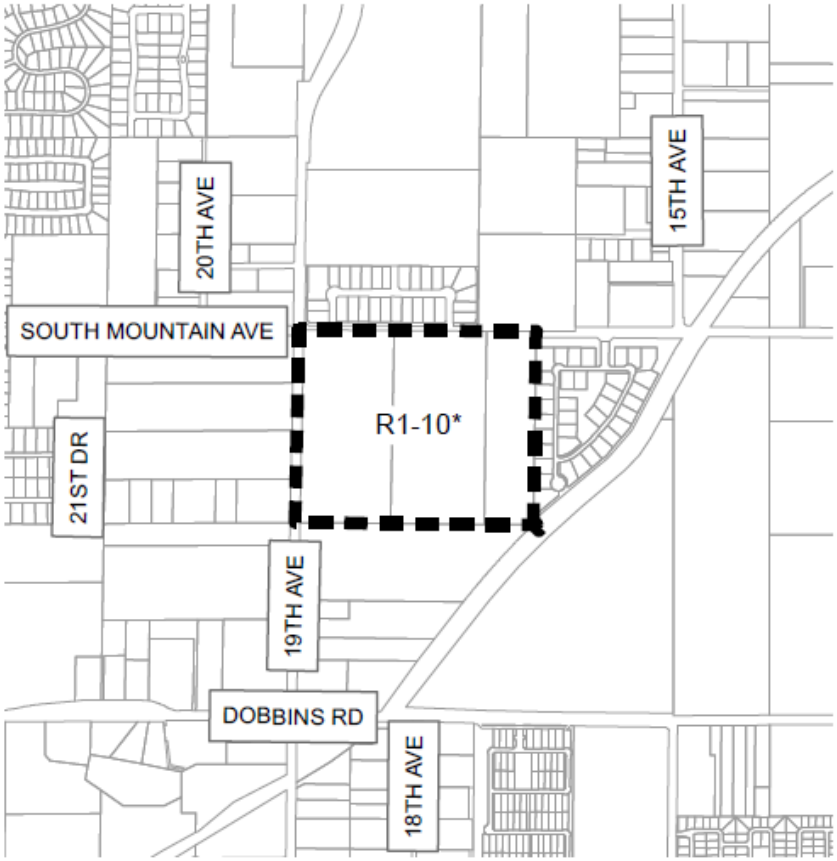
ORDINANCE LOCATION MAP

EXHIBIT B

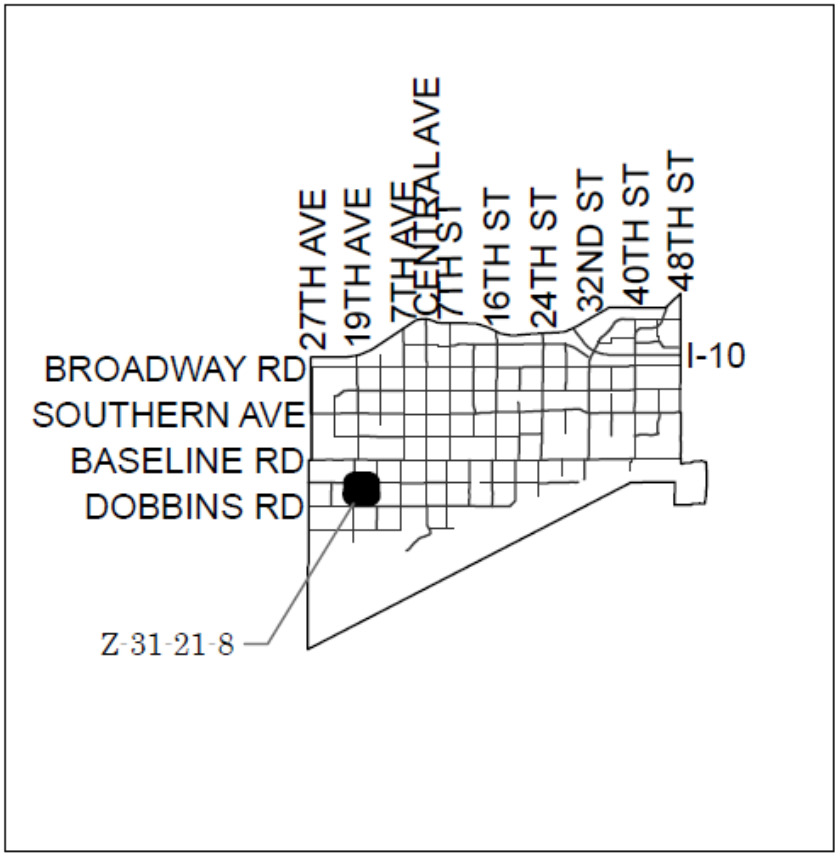
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA:

Zoning Case Number: Z-31-21-8
Zoning Overlay: N/A
Planning Village: South Mountain



0 550 1,100 2,200 Feet



NOT TO SCALE

N

Drawn Date: 12/28/2021

Attachment B

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-31-21-8
November 5, 2021

South Mountain Village Planning Committee Meeting Date:	November 9, 2021
Planning Commission Hearing Date:	December 2, 2021
Request From:	S-1 (Ranch or Farm Residence District) (49.52 acres)
Request To:	R1-10 (Single-Family Residence District) (49.52 acres)
Proposed Use:	Single-family detached residential community
Location:	Southeast corner of 19th Avenue and South Mountain Avenue
Owner:	New Castle Development, LLC
Applicant:	Providence Homes
Representative:	Benjamin Tate, Withey Morris, PLC
Staff Recommendation:	Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation		Current: Residential 1 to 2 dwelling units per acre Proposed (GPA-SM-2-21-8): Residential 2 to 3.5 dwelling units per acre	
Street Map Classification	19th Avenue	Arterial Street	33-foot east half street
	South Mountain Avenue	Local Street	0-foot south half street (roadway easement widths vary)

CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS CORE VALUE; CERTAINTY & CHARACTER; DESIGN PRINCIPLE: Promote neighborhood identity through planning that reinforces the existing landscaping and character of the area. Each new development should contribute to the character identified for the village.

As stipulated, the development will promote neighborhood identity by incorporating density and building height limitations, landscape enhancements, large perimeter lots, and decorative fencing, among other enhancements. These will also promote the agrarian character of the area and vision of the Rio Montaña Area Plan.

CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.

The proposal for a single-family detached residential community would allow development of a housing product that is consistent with other single-family uses in the area. As stipulated, the development will incorporate wide perimeter lots and open space areas, enhanced landscaping and height restrictions, which will also help to provide a transition from the proposed development to adjacent residential properties and to respect local conditions.

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREES AND SHADE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.

The proposal, will be required to provide shade along the adjacent public sidewalks and pedestrian pathways located within or adjacent to open space tracts. This will help to encourage walking and to mitigate the urban heat island effect by covering hard surfaces, thus cooling the micro-climate around the project vicinity.

Applicable Plans, Overlays, and Initiatives

Rio Montaña Area Plan: See Background Item No. 4.

Tree and Shade Master Plan: See Background Item No. 10.

Complete Streets Guidelines: See Background Item No. 11.

Zero Waste PHX: See Background Item No. 12.

Housing Phoenix: See Background Item No. 13.

Surrounding Land Uses and Zoning		
	Land Use	**Zoning**
On Site	Agricultural	S-1
North (across South Mountain Avenue)	Single-family residential and vacant	R1-18 and S-1
South	Agricultural	S-1
East	Single-family residential	S-1 (Approved R1-18)
West (across 19th Avenue)	Agricultural, single-family residential and vacant	S-1, S-1 (Approved R1-18)

R1-10 – Single-Family Residential District (Planned Residential Development Option)		
Standards	**R1-10 Requirements**	**Provisions on the proposed site plan**
Gross Acreage	-	49.52 acres
Total Maximum Number of Units	223 units	160 units (Met)
Maximum Density	3.5 dwelling units per acre, up to 4.5 with bonus	3.23 dwelling units per acre (Met)
Minimum Lot Width	45 feet	55 feet (Met)
Minimum Lot Depth	110 adjacent to arterial	119 (Met)
Maximum Building Height	2 stories and 30 feet	Not specified**
Maximum Lot Coverage	40 percent, up to 50 percent including attached shade structures	Not specified*

MINIMUM BUILDING SETBACKS		
Perimeter Streets: (19th Avenue and South Mountain Avenue)	15 feet	19th Avenue: 170 feet (Met) South Mountain Avenue: 15 feet (Met)
Interior Perimeter Property Lines: (Side and Rear)	Rear: 15 feet (1-story), 20 feet (2-story) Side: 0 feet (1-story), 15 feet (2-story)	Not specified*
MINIMUM LANDSCAPE SETBACKS AND STANDARDS		
Adjacent to street (19th Avenue and South Mountain Avenue)	15 feet average, 10 feet minimum	19th Avenue: 15 feet (Met) South Mountain Avenue: 15 feet (Met)
Minimum Common Area	5% of gross site area	17% (Met)

*Variance or site plan revision required.
**Staff recommend Stipulation No. 4 to limit the maximum building height in the development to one story and 20 feet or two stories and 30 feet, depending on the location of the lot.

Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone 49.52 acres located at the southeast corner of 19th Avenue and South Mountain Avenue from S-1 (Ranch or Farm Residence District) to R1-10 (Single-Family Residence District) for single-family residential uses. The site is presently used for agricultural purposes.

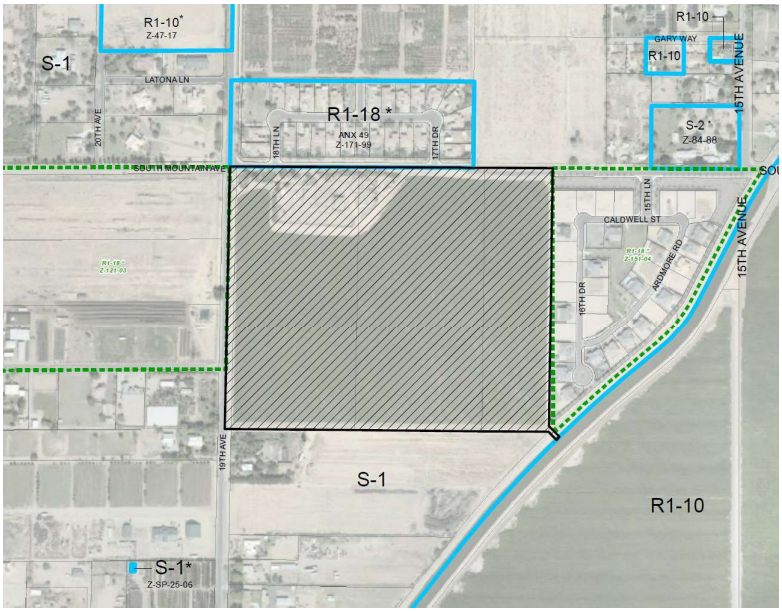
   In 1960, the subject site was annexed into the City of Phoenix from unincorporated Maricopa County and zoned S-1. Historic aerial imagery shows that the site was historically utilized for agricultural uses.

SURROUNDING LAND USES AND ZONING

2. The surrounding area contains a variety of agricultural and residential zoning districts including S-2 (Ranch or Farm Commercial District), S-1 (Ranch or Farm Residence District), R1-18 (Single-Family Residence District), and R1-10 (Single-Family Residence District). Properties north and west of the site, across 19th Avenue and South Mountain Avenue, are zoned S-1 and S-1 (Approved R1-18).

The property south of the site is zoned S-1, while the property east of the site is zoned R1-18.

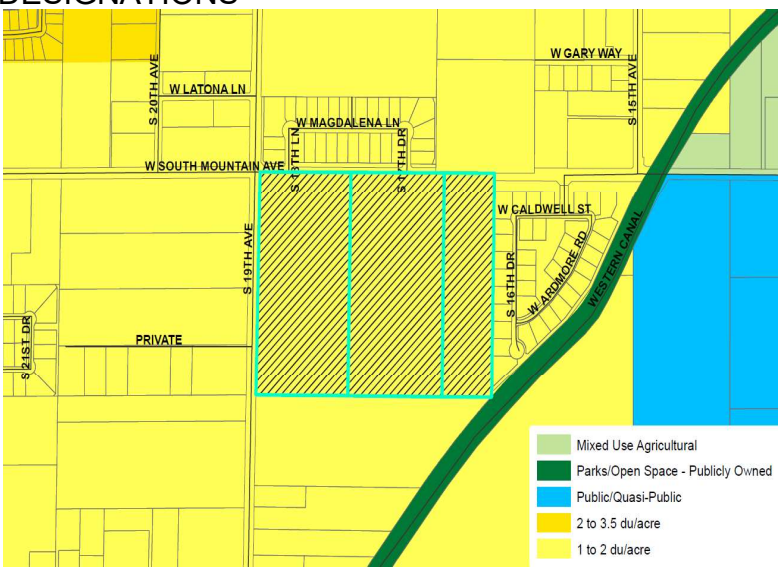
Approximately 0.1 miles north and northeast of the site are properties zoned R1-10. Furthermore, properties to the southeast of the site, across the Western Canal, are zoned R1-10. Lastly, numerous properties south of Dobbins Road, along 19th Avenue, are also zoned R1-10.



Zoning Aerial Map, Source: Planning and Development Department

GENERAL PLAN LAND USE MAP DESIGNATIONS

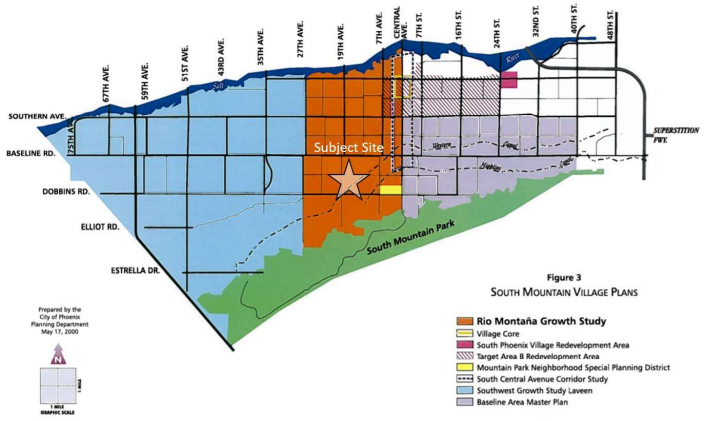
3. The General Plan Land Use Map designation for the subject site is Residential 1 to 2 dwelling units per acre, which is not consistent with the proposed R1-10 zoning district. Thus, a concurrent Minor General Plan Amendment case GPA-SM-2-21-8 proposes to change the land use map designation to Residential 2 to 3.5 dwelling units per acre. North, south, east and west of the site is designated as Residential 1 to 2 dwelling units per acre. Southeast of the site is designated Parks/Open Space – Publicly Owned along the Western Canal.



General Plan Land Use Map, Source: Planning and Development Department

4. **Rio Montaña Area Plan**

The Rio Montaña Area Plan encourages preservation of the rural character of the area and incorporates transition zones to protect desert and open space areas. The plan also encourages pedestrian and equestrian activities through a network of trails and aspires to develop a sense of community while encouraging investment in the community.



Rio Montaña Area Plan, Source: Planning and Development Department

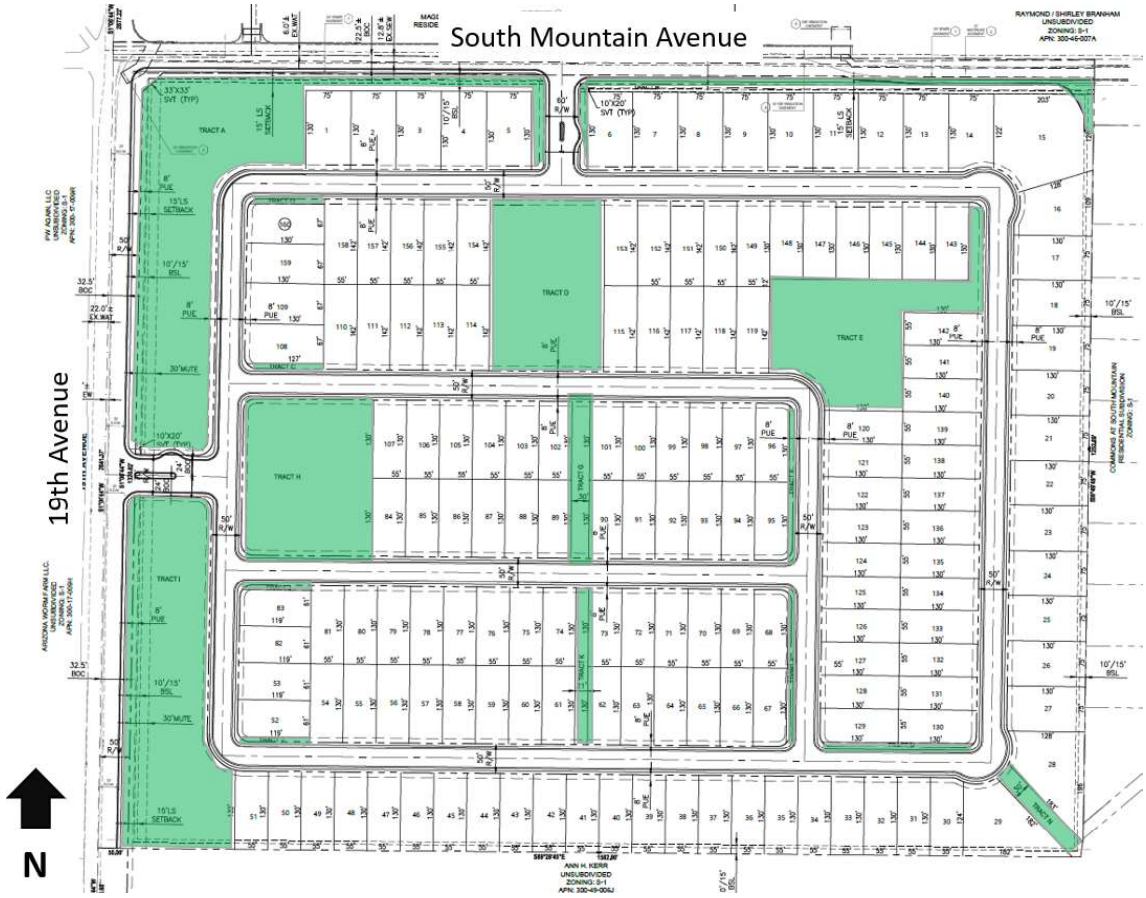
The Rio Montaña Area Plan intends to accomplish this vision through seven goals that include:

1. Promoting balanced, high quality development;
2. Protecting and improving neighborhoods through maintenance, rehabilitation and infill projects;
3. Keeping a distinctive character that reflects the diversity in its equestrian heritage, culture, history and architecture;
4. Protecting the rural character, the Sonoran Desert and the riparian potential of the Rio Salado Habitat Restoration Project;
5. Promoting future business development and economic growth;
6. Developing the tourism industry through a wide range of opportunities;
7. Providing a variety of transportation options.

The site is centrally located and designated by the land use map as Residential 1 to 2 dwelling units per acre within the Plan. As previously mentioned, a concurrent General Plan Land Use Map amendment case GPA-SM-21-8 proposes to change this designation to Residential 2 to 3.5 dwelling units per acre. Per the proposed stipulations, the development will incorporate wide perimeter lots along the north and east property lines, provide a wide open space area along the western perimeter, require pitched roofs to be incorporated on all buildings, incorporate one-story limitations and open view fencing elements along the perimeter streets. These elements will help provide an appropriate land use transition consistent with development patterns in the area, while furthering many of the goals of the Rio Montaña Area Plan.

PROPOSAL

5. The proposal is to develop a 160-lot, single-family detached residential subdivision with street access points along 19th Avenue on the west and South Mountain Avenue on the north. A density of 3.23 dwelling units per acre is depicted in the proposed site plan, which also depicts a variety of lot widths ranging from 55 feet to 75 feet in width.



Conceptual Site Plan with Planning and Development Department annotations,
Source: BFH Group

Conformance to the conceptual site plan provided by the applicant is recommended by staff to provide certainty in how the project will develop and also to preserve the perimeter transitions along the north, east and west property lines via 75-foot-wide perimeter lots or deep open space areas. Open space areas are also provided throughout the site for easy access by future residents. Furthermore, enhanced building setbacks along 19th Avenue will ensure that future homes will be placed more internally within the site to create an open feel along this part of the

development. Stipulation No. 1 addresses conformance to the site plan.

Staff also recommends Stipulation No. 2 which addresses landscaping enhancements along perimeter landscape setbacks that will help screen the site from existing residential homes in the neighborhood.

Lastly, Stipulation No. 3 as recommended by staff, will limit the building height to two stories and 30 feet, except for lots along the perimeters which shall be one story and 20 feet in height. These stipulations will help provide appropriate an transition from existing residential uses in the area, and further the goals for the Rio Montaña Area Plan by protecting existing neighborhoods and maintaining an distinctive character plus scale.

6. No conceptual building elevations were submitted by the applicant, but renderings of the housing product envisioned on this site were submitted. These renderings depict a variety of architectural styles, with various colors and textures proposed. These renderings also show one and two-story housing products.

   Staff does not recommend conformance to these building renderings, as details of building materials and other design elements were not included. However, staff recommends that all lots, including 75-foot wide lots, be subject to the Single-Family Design Review standards outlined in Section 507 Tab.A. II. of the Zoning Ordinance. This is addressed in Stipulation No. 4.

   Furthermore, staff recommends Stipulation No. 5 to require that all building elevations incorporate several enhancements including: multiple colors, exterior accent materials, and textural differences that exhibit quality and durability.

Stipulation No. 5 also requires that a minimum of 50 percent of the elevations for each floor plan shall provide a covered front porch in the front yard. This design feature will reinforce community orientation, consistent with the Rio Montaña Area Plan.

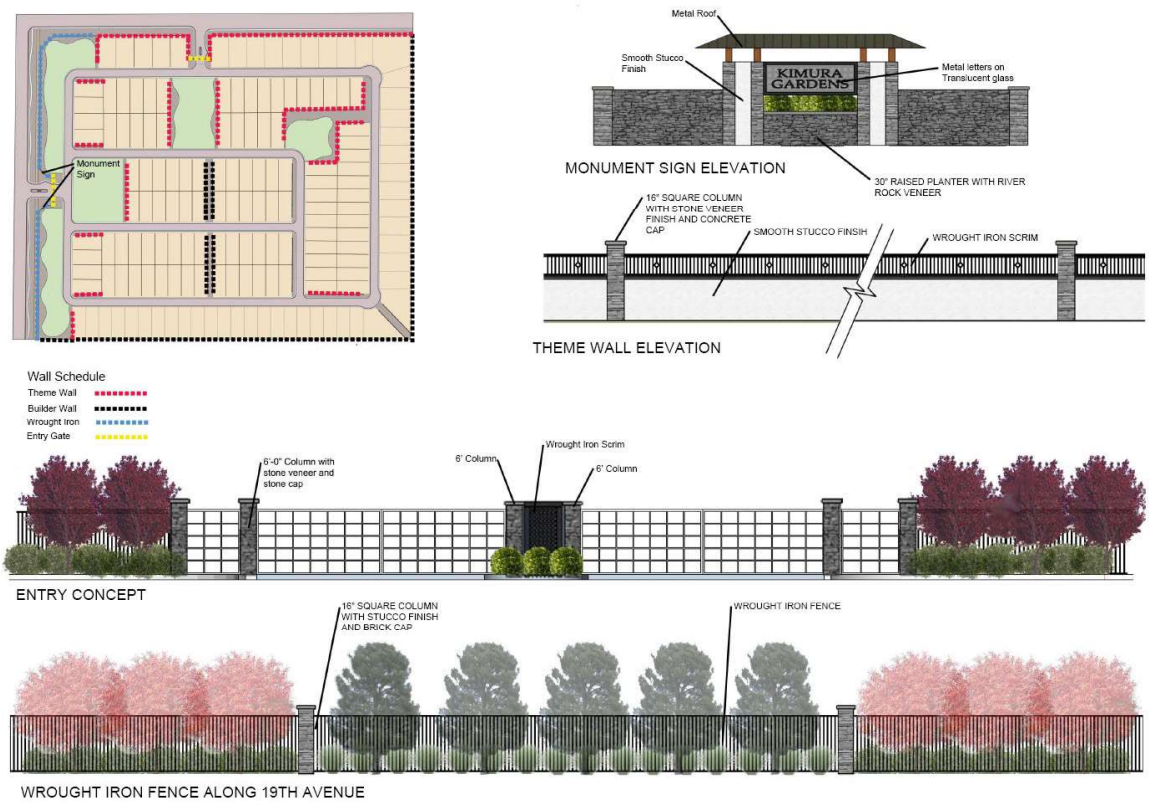






Conceptual Building Renderings, Source: Not specified

7. A fencing exhibit was submitted as part of this request, depicting various materials and fencing elements. Full open view fencing is proposed along 19th Avenue, while a combination of solid and open view fencing is proposed along South Mountain Avenue and other internal open space areas. These elements will increase visibility within these areas and promote an open feel both within the community and along adjacent streets. Staff recommends conformance to this fencing exhibit (landscape plan) in Stipulation No. 6 in order to ensure that these fencing elements are incorporated into this community.



Conceptual Landscape Exhibit (Landscape Plan), Source: ela

The development proposes vehicular access to the community along 19th Avenue and South Mountain Avenue. In order to promote a sense of place for future residents, Stipulation No. 7 recommends that each of the vehicular entryways incorporate decorative materials. Furthermore, staff recommend Stipulation No. 8 to require enhanced landscaping on both sides of each entryway into the development containing a variety of plant materials for visual interest.

8. Staff recommends various pedestrian connections and enhancements throughout the community to promote recreation, walking and alternative transportation methods. Stipulation No. 9 addresses the following connections to/between:

    - Amenity areas;
    - Sidewalks;
    - Centralized pedestrian path connecting the northern and southern portion of the site;
    - Shaded pedestrian path that connects to either 19th Avenue or South Mountain Avenue near this intersection.
    - Pedestrian pathway connecting to the Western Canal.

9. The conceptual site plan also depicts various open space areas distributed throughout the development for future residents to enjoy. Staff is recommending Stipulation No. 10 to limit the use of high-water use plants within common landscape areas to help conserve water and to allow the applicant to strategically place plants, such as turf, in areas of high activity and retention basins, among other areas. Staff recommends Stipulation No. 11 to require several amenities distributed throughout the development including:

    - Tot lot with shade equipment;
    - Two picnic areas each with a barbeque grill, shade ramada and a picnic table;
    - Four benches or seating features;
    - Garden amenity of no less than a combined 1,000 square feet in size.

    These amenities will promote the health of future residents by providing recreational opportunities through various activities, allowing the enjoyment of sunlight, and having a communal space that enables social interactions.

STUDIES AND POLICIES

10. **Tree and Shade Master Plan**

    The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. Sidewalks on the street frontages should be detached from the curbs to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect. Staff is recommending several stipulations designed to provide trees and enhance shade within the development.

    Staff is recommending stipulations for enhanced landscaping and shaded sidewalks along the perimeter property lines as follows:

- Fifty-percent two-inch caliper and 50-percent three-inch caliper trees within the required landscape setbacks (Stipulation No. 2);

- Shaded pathway connecting the community to or near the intersection of 19th Avenue and South Mountain Avenue (Stipulation No. 3);

- Tot lot amenity with shade equipment (Stipulation No. 11);

- The sidewalks along 19th Avenue and South Mountain Avenue shall be detached and shaded a minimum of 75 percent with two-inch caliper trees (Stipulation No. 12 and 13).

11. **Complete Streets Guidelines**
In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. This development will help to pedestrianize the immediate street frontages by providing shaded detached sidewalks and constructing a multi-use trail plus dedicating a multi-use trail easement along 19th Avenue to promote recreation in the area. This trail will help to establish a new trail alignment that could connect the trails along South Mountain Avenue to Dobbins Road in the future, as other properties along 19th Avenue develop. This is addressed in Stipulation No. 14.

12. **Zero Waste PHX**
The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero-waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs. Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial and mixed-use developments meeting certain criteria. The application materials submitted by the applicant indicate that recycling facilities will be available to residents.

13. **Housing Phoenix**
In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with a vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing. The proposed development supports the Plan's

goal of preserving or creating 50,000 housing units by 2030 by contributing to a variety housing types that will address the supply shortage at a more rapid pace while using vacant land in a more sustainable fashion.

Stipulation No. 1 would allow the developer to construct up to 160 single-family detached residential units. If this development is approved, it would allow further diversity in housing products within the area and new housing choice for existing and new residents to the area.

COMMUNITY INPUT SUMMARY

14. As of the writing of this report, staff received 15 letters in opposition, one letter of support, a support petition with 22 signatures and two letter listing concerns and recommendations. The letters of concern cited issues with land use compatibility due to the rural nature of the area, density concerns, impacts to existing neighbors, inadequate infrastructure, increased traffic, inadequate services for the area, impacts to property values, regional drainage impacts, notification concerns, and lack of conformance to the Rio Montaña Area Plan. One of the letters in opposition was conditioned upon lowering the density to no more than three dwelling units per acre on the site.

    The letter of support cited the proposed density and housing affordability as reasons to support the project. The 22 signatures in support were signed by residents of the adjacent subdivision to the east of this site. Other letters received contained comments pertaining to neighborhood outreach and listed other concerns pertaining to drainage, notification, project justification, compatibility, and conformance to the Rio Montaña Area Plan.

INTERDEPARTMENTAL COMMENTS

15. The Public Transit Department provided comments pertaining to pedestrian pathways connecting building entrances and public sidewalk via the most direct route. Also, comments were provided to recommend alternative paving material where pedestrian pathways cross drive aisles, and providing a minimum of 75 percent shade along pedestrian paths, including public sidewalks. These comments are addressed in Stipulation Nos. 7, 9, 12 and 13.

16. The Street Transportation Department provided comments pertaining to detached sidewalks along adjacent streets. Other comments provided pertained to adjacent right-of-way dedication and street construction, overhead utility undergrounding, junction box installation at street intersections, relocation of irrigation facilities, and other general street improvement requirements. These comments are addressed in Stipulation Nos. 12, 13, and 15 through 20.

17. The Fire Department indicated there are no problems anticipated with the case and that the site and/or buildings shall comply with the 2018 International Fire Code with Phoenix Amendments. Further, the Department commented that they do not know the water supply at this site and noted that additional water supply may be required to meet the required fire flow per the Fire Code.

18. The Water Services Departments commented that there are water and sewer mains that can potentially serve the development. However, capacity is a dynamic condition that can change over time due to a variety of factors. Furthermore, the City intends to provide water and sewer service, requirements and assurances for which are determined during the site plan review process. For any given property, water and sewer requirements may vary over time to be less or more restrictive depending on the status of the City's water and sewer infrastructure.

19. The Floodplain Management division of the Public Works Department did not have any comments on this case.

OTHER

20. The subject site is within close proximity to properties used for farming or agricultural uses, thus potentially leading to dust, odors or other impacts to future residential uses on the site. Stipulation No. 21 would require the disclosure to purchasers of property and tenants within the development, the existence and operational characteristics of agricultural uses in the area.

21. The Aviation Department requires that the property owner record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of City of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property. Furthermore, that an avigation easement is dedicated to the City of Phoenix as this property is within the PHX International Airport traffic pattern airspace and seeking noise sensitive land use. Lastly, that a No Hazard Determination for the proposed development be provided from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process. These are addressed in Stipulation Nos. 22, 23 and 24.

22. The site is not identified as being archaeologically sensitive. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation No. 25.

23. The developer shall provide a hydraulic/hydrologic analysis of offsite storm water flows, when present, at the time of preliminary site plan submittal for verification of

required infrastructure regarding lot space and density.

24. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements such as obtaining a use permit to conduct the proposed outdoor use in this zoning district. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

Findings

1. This proposed development provides a housing option that is consistent with development patterns in the general area.

2. As stipulated, the proposed development is generally consistent with design policies and the intent of the Rio Montaña Area Plan.

3. This proposed development is appropriately located along an arterial street, 19th Avenue, which connects to Baseline Road where transit service is present.

Stipulations

1. The development shall be in general conformance with the site plan date stamped November 2, 2021, as modified by the following stipulations and approved by the Planning and Development Department with specific regard to the following:

    a. Lots 1 through 28 shall be a minimum of 75 feet in width.

    b. All other lots shall be a minimum of 55 feet in width.

    c. Portions of lots 28 and 29 may be modified to accommodate any required canal frontage standards.

    d. The location of the open space areas.

    e. A minimum of 17 percent of the gross site area shall be provided as open space.

    f. A minimum building setback of 150 feet, exclusive of fencing or entry features, shall be provided along the western perimeter property line along 19th Avenue.

2. The required landscape setbacks shall be planted with minimum 50-percent 2-inch caliper and 50-percent 3-inch caliper large canopy drought-tolerant trees, 20 feet on center or in equivalent groupings, with five 5-gallon shrubs per tree, as approved by the Planning and Development Department.

3. The maximum building height shall be limited to two stories and 30 feet, except that lots 1 through 53, 82, 83, 108, 109, 159 and 160 as depicted on the site plan date stamped November 2, 2021, shall be limited to one story and 20 feet.

4. All lots within the development shall be subject to Single-Family Design Review, including 75-foot wide lots, as approved by the Planning and Development Department.

5. Building elevations shall be developed to the following standards, as approved by the Planning and Development Department:

    a. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco, or other materials to provide a decorative and aesthetic treatment.

    b. A minimum of 50 percent of the elevations for each floor plan shall provide a covered front porch in the front yard with a minimum of 60 square feet in area at a depth of at least six feet. No porch shall terminate within the plane of a door or window.

    c. Pitched roofs shall be provided on all building elevations.

6. The development shall be in general conformance with the fencing exhibit (landscape plan) and elevations date stamped October 14, 2021, as modified by the following stipulations and approved by the Planning and Development Department.

    a. Full open view fencing shall be utilized where an open space tract is adjacent to a canal.

    b. Where view fencing is required by the Zoning Ordinance, a combination of solid masonry wall and view fencing may be utilized. The solid portion of the wall shall not exceed 4 feet in height.

    c. Perimeter walls bounding the rear yard property lines of residential lots along South Mountain Avenue shall include minimum 3-foot offsets.

d. Perimeter walls bounding the rear yard property lines of residential lots along South Mountain Avenue shall be limited to a maximum of 5 feet solid and topped with open view fencing, as approved by the Planning and Development Department.

7. Project entry drives along 19th Avenue and South Mountain Avenue shall be constructed of decorative pavers, stamped or colored concrete, or similar alternative material, as approved by the Planning and Development Department.

8. Project entry drives shall incorporate enhanced landscaping on both sides planted with a variety of at least three plant materials, as approved by the Planning and Development Department. Each landscaped area shall be a minimum of 250-square feet.

9. A minimum system of pedestrian connections shall be provided, as described below and as approved by the Planning and Development Department:

a. A system of pedestrian connections to/between via the most direct route:

(1) Amenity areas.

(2) Sidewalks.

(3) Pedestrian path connecting the northern and southern portions of the site via a centralized pathway.

(4) The common open space tract along the southeast corner of 19th Avenue and South Mountain Avenue shall contain a minimum 8-foot wide pedestrian pathway that connects the development with the sidewalk at 19th Avenue or South Mountain Avenue near the street intersection. This pathway shall be constructed of decomposed stabilized granite, decorative pavers, stamped or colored concrete, or similar alternative material. The landscaped tract shall contain minimum 2-inch caliper shade trees planted a minimum of 25 feet on center or equivalent groupings, along both sides of the pedestrian pathway.

(5) A minimum 8-foot wide pedestrian pathway shall connect the development with the multi-use trail along the Western Canal. This pathway shall be provided within an average 30-foot wide landscape tract and constructed of decomposed stabilized granite, decorative pavers, stamped or colored concrete, or similar alternative material.

10. No more than 50 percent of the landscape areas within common areas or 10 percent of

the net development area whichever is less, should be planted in turf or high-water use plants. Turf areas should be located only in the common open space areas, including retention basins, as approved by the Planning and Development Department. This requirement does not apply to landscaping located within private yards on individual lots.

11. The following minimum shall be provided and dispersed throughout the development, as approved by the Planning and Development Department:

    a. Tot lot with shade equipment;

    b. Two picnic areas each with a barbeque grill, shade ramada and a picnic table;

    c. Four benches or seating features; and

    d. Garden amenity of no less than a combined 1,000 square feet in size.

12. All sidewalks along 19th Avenue shall be detached with a landscape strip located between the sidewalk and back of curb following the most recent Cross Section of the Street Classification Map and planted to the following standards, as approved by the Planning and Development Department.

    a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 25 feet on center or in equivalent groupings that provide shade to a minimum 75 percent.

    b. Drought tolerant vegetation to achieve 75 percent live coverage.

    Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

13. All sidewalks along South Mountain Avenue shall be detached with a minimum five-foot wide landscape strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.

    a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 25 feet on center or in equivalent groupings that provide shade to a minimum 75 percent.

    b. Drought tolerant vegetation to achieve 75 percent live coverage.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

14. The developer shall dedicate a 30-foot wide multi-use trail easement (MUTE) along the east side of 19th Avenue and construct a minimum 10-foot wide multi-use trail (MUT) within the easement in accordance with the MAG supplemental detail, as approved by the Planning and Development Department. The developer shall work with the Site Planning section on an alternate design for this requirement through the technical appeal process.

15. The developer shall dedicate minimum 50 feet of right-of-way and construct the east side of 19th Avenue, as approved by the Planning and Development Department.

16. The developer shall provide the following dedications and construct the south half of South Mountain Avenue in the following manner, as approved by the Planning and Development Department:

    a. Thirty feet of right-of-way between 19th Avenue and 17th Drive.

    b. Forty-four feet of right-of-way east of 17th Drive extending to the eastern boundary of the subject site.

17. The developer shall underground all existing overhead utility lines adjacent to the site.

18. The developer shall provide conduit and junction boxes at the southeast corner of 19th Avenue and South Mountain Road for future traffic signal equipment, as approved by the Street Transportation Department.

19. Existing irrigation facilities along 19th Avenue and South Mountain Avenue shall be undergrounded and/or relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish appropriate process to relocate facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.

20. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

21. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property within the development(s) the existence and

operational characteristics of agricultural and farming activities. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

22. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

23. The developer shall grant and record an avigation easement to the City of Phoenix Aviation Department for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.

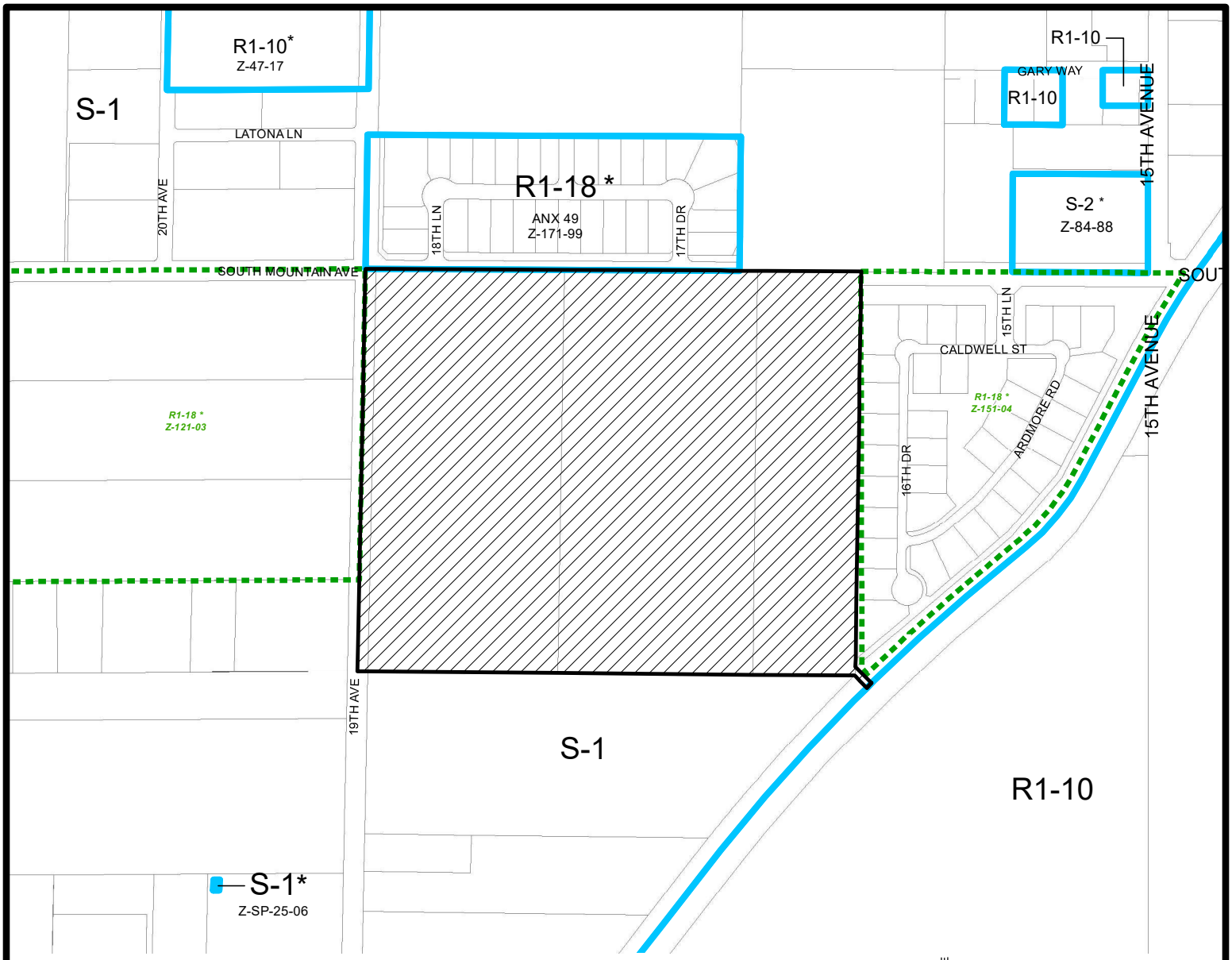
24. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.

25. In the event archeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archeologist, and allow time for the Archeology Office to properly assess the materials.

Writer
Enrique Bojórquez Gaxiola
November 5, 2021

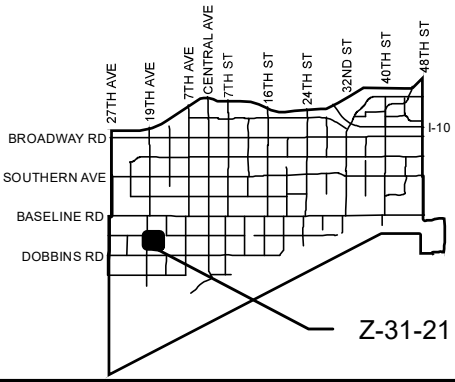
Team Leader
Samantha Keating

Exhibits
Zoning sketch map
Aerial sketch map
Conceptual Site Plan date stamped November 2, 2021
Conceptual Fencing Exhibit (Landscape Plan) date stamped October 14, 2021
Conceptual Building Renderings date stamped May 25, 2021 (9 pages)
Community Correspondence (39 pages)



SOUTH MOUNTAIN VILLAGE

CITY COUNCIL DISTRICT: 8



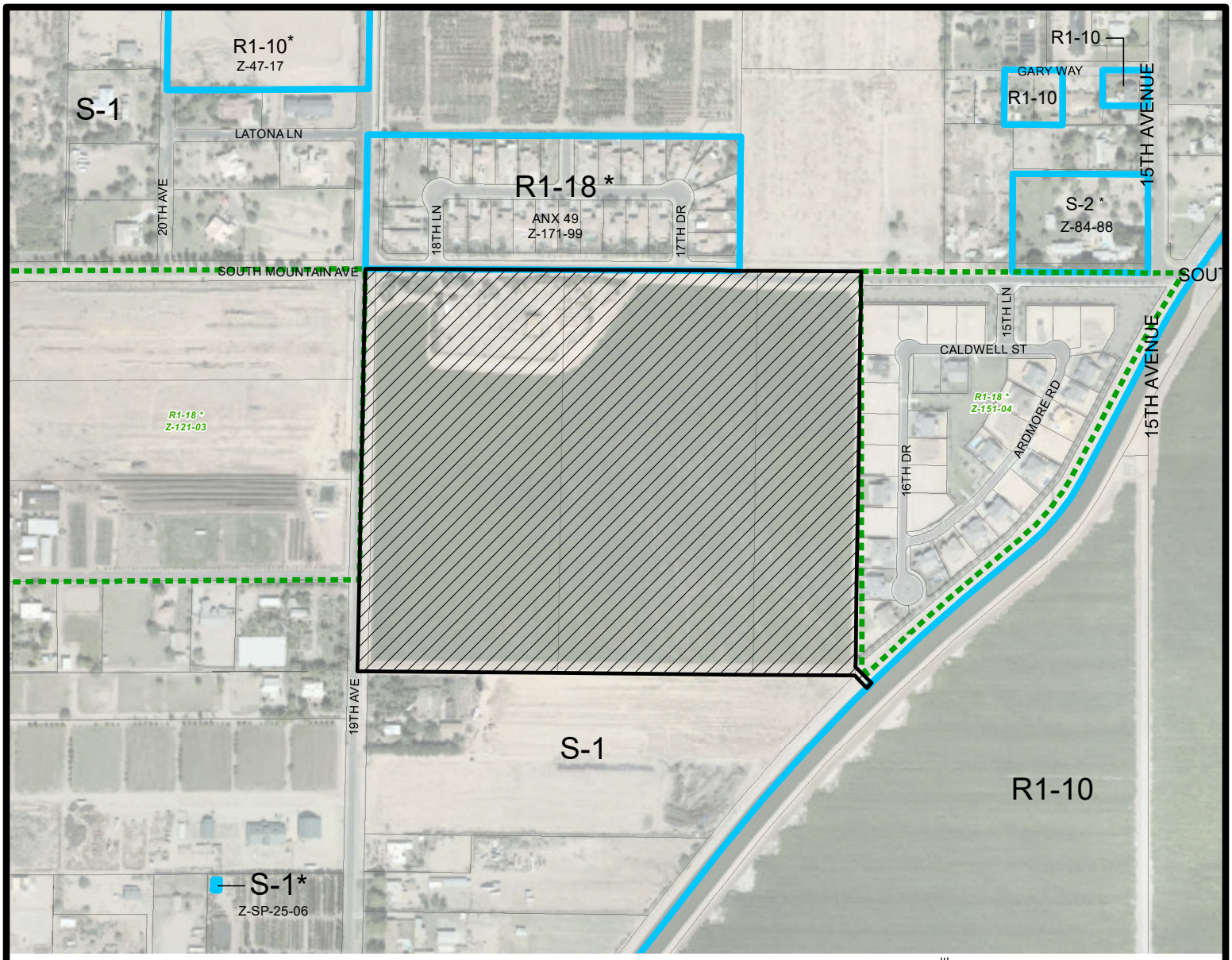
City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME: Providence Homes	**REQUESTED CHANGE:**
APPLICATION NO. Z-31-21	FROM: S-1 (49.52 a.c.)
DATE: 6/14/2021 REVISION DATES:	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 49.52 Acres	TO: R1-10 (49.52 a.c.)
AERIAL PHOTO & QUARTER SEC. NO. QS 02-25	ZONING MAP C-7

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
S-1	49	N/A
R1-10	173	223

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

Document Path: S:\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\sketch_maps\2021\Z-31-21.mxd



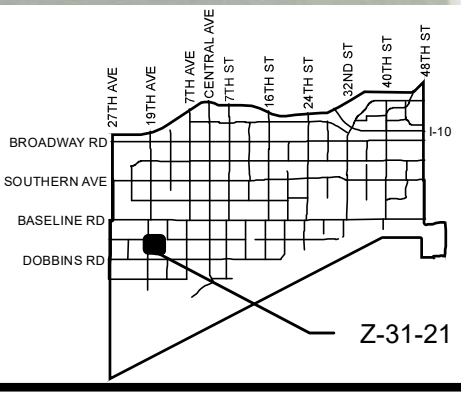
Miles

0.09 0.045 0 0.09

SOUTH MOUNTAIN VILLAGE

CITY COUNCIL DISTRICT: 8

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME: Providence Homes

REQUESTED CHANGE:

FROM: S-1 (49.52 a.c.)

TO: R1-10 (49.52 a.c.)

APPLICATION NO. Z-31-21

DATE: 6/14/2021

REVISION DATES:

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

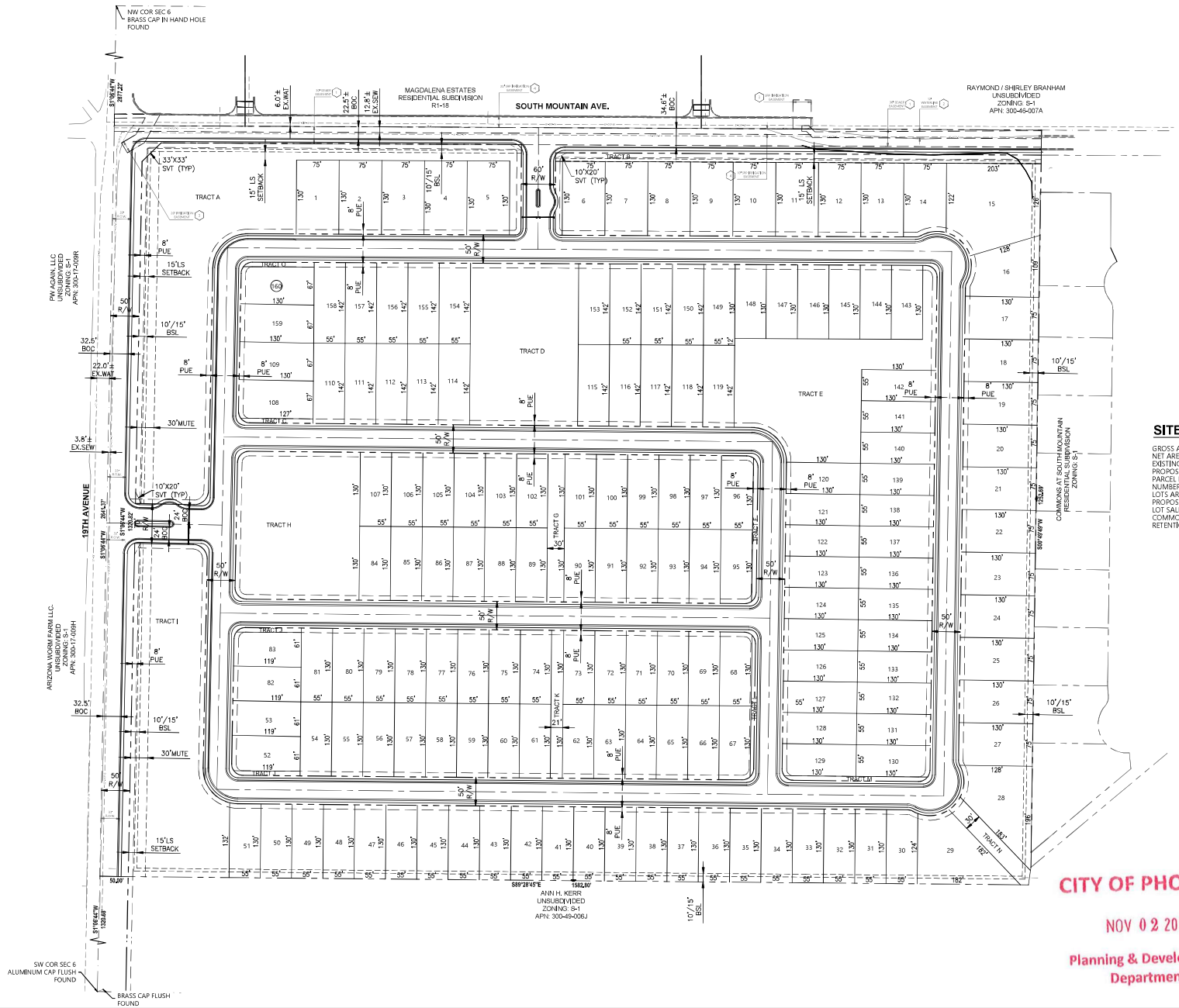
49.52 Acres

AERIAL PHOTO & QUARTER SEC. NO.	ZONING MAP
QS 02-25	C-7

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
S-1	49	N/A
R1-10	173	223

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

Document Path: S:\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\sketch_maps\2021\Z-31-21.mxd



SITE SUMMARY

GROSS AREA	=	2,162,703 SQ. FT. OR 49.65 ACRES MORE OR LESS
NET AREA	=	1,680,326 SQ. FT. OR 38.57 ACRES MORE OR LESS
EXISTING ZONING	=	S-1
PROPOSED ZONING	=	R1-10
PARCEL NUMBERS	=	300-49-003C, -004, -005
NUMBER OF LOTS	=	160
LOTS AREA	=	1,267,056 SQ. FT. (TOTAL)
PROPOSED DENSITY	=	3.22 DWELLING UNITS PER ACRE
LOT SALES PROPOSED	=	YES
COMMON AREA	=	376,798 SQ. FT. (TOTAL) OR 17.4% (GROSS AREA)
RETENTION	=	ABOVE GROUND BASINS

CITY OF PHOENIX

NOV 02 2021

Planning & Development
Department

80 0 80 160
scale 1" = 80' feet

NOT APPROVED FOR CONSTRUCTION

BFH Group
3707 EAST SOUTHERN AVENUE
MESA, ARIZONA, 85206
PHONE: 480.734.1446

REVISIONS:

PRELIMINARY SITE PLAN

PROJECT:
KIMURA GARDENS
CITY OF PHOENIX, AZ 85041

Job No.: -
Drawn By: PJ
Checked: DB

CALL TWO WORKING DAYS
(602) 263-1100
1-800-STAKE-IT
(ARIZONA BLUE STAKE, INC.)

REGISTERED PROFESSIONAL ENGINEER
CERTIFICATE NO.
48533
DAVID A. BOHN
ARIZONA U.S.A.
EXPIRES 09/30/2023

JOB NO.
00202010130

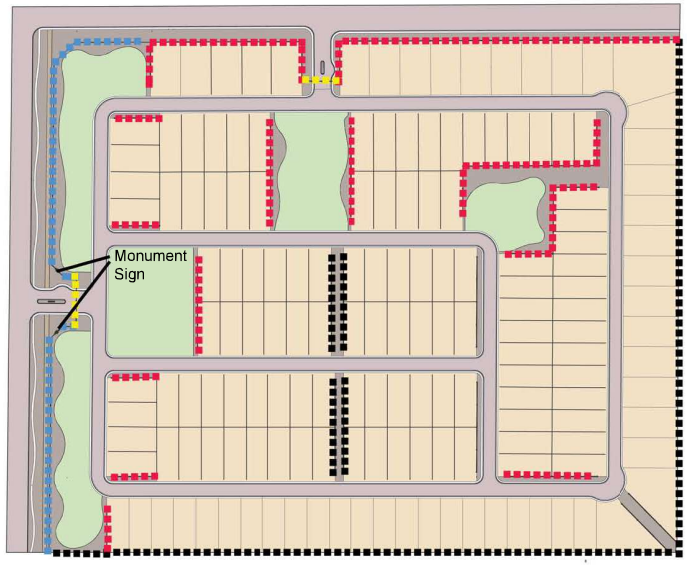
Prelim Site Plan

SHEET NO.
2

2 OF 2

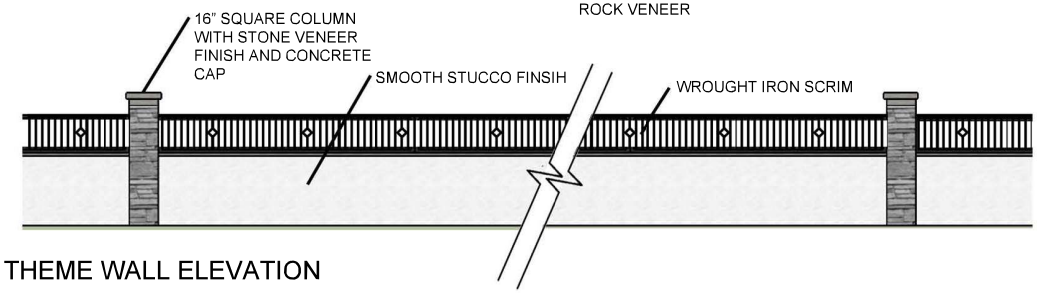
Page 1074

D:\ENGR\2021\00202110000KIMURA GARDENS\DWG\CIVIL\PRELIMINARY\CONCEPTUAL\CONTEXT PLAN\Prelim SP01 101321.dwg, 11/02/2021 3:47:42 PM





MONUMENT SIGN ELEVATION

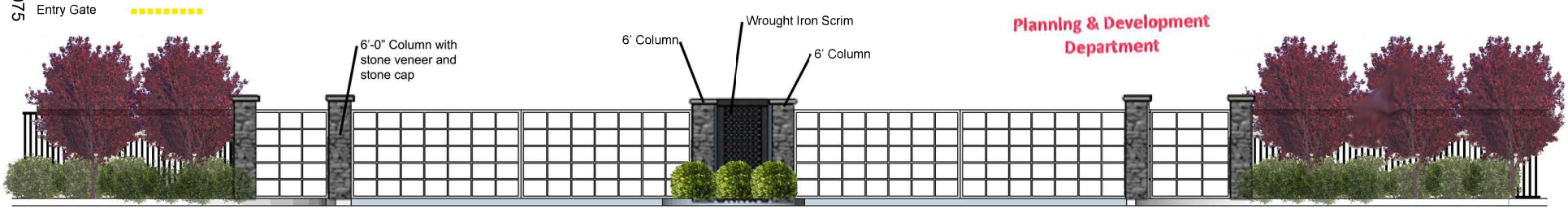


THEME WALL ELEVATION

Wall Schedule

- Theme Wall
- Builder Wall
- Wrought Iron
- Entry Gate

CITY OF PHOENIX
OCT 14 2021
Planning & Development
Department



ENTRY CONCEPT



WROUGHT IRON FENCE ALONG 19TH AVENUE

everett landscape architecture

KIMURA GARDENS
PHOENIX, ARIZONA

DATE
9/14/2021

21015

Sheet Title:
LANDSCAPE
PLAN

Sheet:



CITY OF PHOENIX
MAY 16 2023
Planning & Development
Department


CITY OF PHOENIX
Page 1077


CITY OF PHOENIX
Planning & Development Department


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CITY OF PHOENIX
MAY 31 2022
Planning & Development
Department


CITY OF PHOENIX
Planning & Development
Department

From: larry Brown
To: Enrique A Bojorquez-Gaxiola
Subject: Application to amend zoning ordinance #Z-31-21
Date: Friday, October 29, 2021 7:48:31 PM

Greetings sir,
I am writing again to request a concern about this application for amendment. If the amendment is ratified, I'm concerned that it will negatively impact the quality of life for the residents on the Western perimeter of The Commons at South Mountain neighborhood which is adjacent to this 49.5 acres parcel. By authorizing 2-3.5 du/ac this will result in more than one home being built directly behind each of the homes on this property boundary.

We respectfully request that the zoning require a green space between the 2 neighborhoods since the number of dwellings per acre would result in multiple homes directly behind each of our homes on the western perimeter of our community.
We believe a green space between our neighborhood and the new construction will result in a mutual benefit for all parties involved.

Respectfully,

Larry and Hope Brown
8796 S. 16th Drive
Phoenix, Arizona 85041
(520)313-6339
topbrown10@gmail.com
--
Respectfully,
Larry A. Brown
(520) 313-6339

From: Amber Harrison
To: Enrique A Bojorquez-Gaxiola
Subject: 19th AVE and South Mountain
Date: Saturday, June 26, 2021 11:22:05 AM

I am writing to protest concurrent cases GPA-SM-2-21-8 (General Plan Amendment) and Z-31-21-8 (Rezoning) for the property at the southeast corner of 19th Avenue and South Mountain Avenue.

Please do not allow corporate greed here. As with many residents in South Phoenix, weoved here for the some what rural feel. Allowing this property to be used other than what it is currently used for will remove that feel and lower our property values even further.

Sent from Yahoo Mail on Android [go.onelink.me]

From:	Beckett Aguirre
To:	Enrique A Bojorquez-Gaxiola
Subject:	Rezoning of 19th Ave & South Mtn Ave
Date:	Thursday, August 5, 2021 7:53:52 AM

Mr. Bojorquez,

I am writing to protest concurrent cases GPA-SM-2-21-8 (General Plan Amendment) and Z-31-21-8 (Rezoning) for the property at the southeast corner of 19th Avenue and South Mountain Avenue.

I am a disabled Marine combat veteran & my wife & I just moved to the area. We are at Silva Mountain Estates, the Elliot homes on 23rd Ave & South Mtn Ave. I moved to this area to get away from the high density housing that is closer to the center of the valley. I suffer from PTSD & other combat related ailments. Living in this rural area is good for my mental health, which is why we moved here.

This proposed development will add more homes & traffic to the area, taking away from the rural feel & climate.

Please do not allow the rezoning of this property. Thank you for you time.

Beckett Aguirre
USMC Veteran
623.271.5015

From:	eliza williamson
To:	Enrique A Bojorquez-Gaxiola
Subject:	Rezoning request in South Mountain area
Date:	Monday, June 14, 2021 11:57:06 AM

Dear Mr. Bojorquez-gaxiola,

In reference to case #GPA-SM-2-21-8. I mirror all the concerns voiced to you by my neighbor, Patti Trites. This area is already becoming too congested, the infrastructure here is old and not intended for such growth.

Please assist in this matter and prevent the rezoning of this area of 19th Ave and South Mountain road.

Thank you for your time.

Eliza Williamson

2433 W. Hayduk Rd, 85041.



The true measure of any society can be found in how it treats its most vulnerable members

Mahatma Gandhi [azquotes.com]

Sent from Mail [go.microsoft.com] for Windows 10

From: Eric Zimtbaum
To: Enrique A Bojorquez-Gaxiola
Subject: Protest cases GPA-SM-2-21-8 and Z-31-21-8
Date: Tuesday, June 29, 2021 1:11:34 PM
Attachments: image003.png

Hi Enrique,

I am writing to protest concurrent cases GPA-SM-2-21-8 (General Plan Amendment and Z-31-21-8 (Rezoning) for the property at the southeast corner of 19th Avenue and South Mountain Avenue.

Thank you,
Eric

Eric Zimtbaum
eRX Management



ezimtbaum@drfirst.com
O: 301-231-9510 ext 7292
M: 602-616-9576
F: 240-547-1767
Support: 866-263-6512
DrFirst.com | twitter | facebook | blog

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From:	Erin Hegedus
To:	AZleatherking@aol.com; Enrique A Bojorquez-Gaxiola; jpoulsen@provhomes.com; ben@wtheymorris.com; Helen Jewel Clark; mikejosic@gmail.com; zach@zbrooks.com; Dorothy Hallock; Cyd Manning
Subject:	Rezoning Application #GPA-SM-2-21-8
Date:	Thursday, June 10, 2021 6:03:36 PM

Good afternoon, I am in receipt of your letter advising that you are requesting rezoning from 1-2 DU/AC to 2-3.5 DU/AC

I am writing to contest the rezoning. Among many other issues, the infrastructure, does not support this change. Dobbins Road, 19th Avenue, South Mountain Avenue are two lane roads that are already exhausted by traffic.

I am asking at this time is that when you schedule your "neighborhood meeting" as stated in your letter dated 6/7/2021 that you schedule it at a time/location that is convenient for the neighbors that this rezoning affects.
Perhaps after 6 pm at a location in the 85041 location

Sent from Mail [go.microsoft.com] for Windows 10

Enrique A Bojorquez-Gaxiola

To: Erin Hegedus
Subject: RE: Rezoning request for 19th Avenue & Southern

For Z-31-21-8 and GPA-SM-2-21-8, and Z-58-21-8 and GPA-SM-3-21-8 case files.

From: Erin Hegedus
Sent: Wednesday, October 20, 2021 5:10 PM
To: info@TechnicalSolutionsAZ.com; Council District 8 PCC
Subject: Rezoning request for 19th Avenue & Southern

I reside at 8630 South 19th Avenue and am very concerned with the request to rezone this property. Myself and our neighbors have aggressively contested this previously and continue to do so.

My concerns, to list a few are:

Infrastructure does not support an increase in density.

- South Mountain Avenue is at best a two lane road from 7th Street to 27th Avenue. There are several areas of this road that are only one lane and the road is continually backed up especially when school is in session.
- 19th Avenue is also a two lane road with open canals to the east and the west and cannot support the current traffic and has been subject to several fatalities in the last 3 years.
- Additionally, Dobbins Road is a two lane road from 20th Street to 43rd Avenue and has been heavily backed up for years.

There are many developments on Dobbins Road that are in process that are going to affect all of us that reside in the area.

Furthermore, the housing that is proposed is not compliant with the homes that are in the area, which are larger lots, higher value and conform to the current Rio Montana plan that was approved by the City Council.

I am not only concerned with the lack of infrastructure but the fact that the higher density homes will greatly devalue our homes that conform to the current zoning.

I ask that you review the plans and decrease the density to conform to the Rio Montana plan as we have requested previously.

Sincerely,
Erin Hegedus, CMRP

Sent from Mail [go.microsoft.com] for Windows

From:	JAMES TORRES
To:	Enrique A Bojorquez-Gaxiola
Subject:	Fw: Fwd: GPA-SM-2-21-8
Date:	Monday, June 14, 2021 11:40:02 AM
Attachments:	Enhanced Notification Form GPA-SM-2-21-8_dated 06-11-21.pdf

I'm a resident at Southern Hills, I hope you don't rezone the property mentions below. All the other Builders are dealing with the temporary increase in building materials. Please don't open a can of worms by rezoning this parcel. All the other Builders are making money building houses in Phoenix.

Thank you,
James Torres
2337 W Corral Rd
Phoenix, AZ. 86041

Sent from Yahoo Mail for iPhone [overview.mail.yahoo.com]

Begin forwarded message:

On Monday, June 14, 2021, 10:33 AM, Patti Trites <pattihoash@gmail.com> wrote:

> Hi Neighbors,
> I am writing to you as a neighbor, not as the HOA.
>
> I was recently made aware that the developer/owner of the land at 19th AVENUE and SOUTH MOUNTAIN;
> which is across the street from the Worm Farm and
> just west of the new development The Commons at South Mountain
>
> WANTS TO CHANGE THE ZONING FROM 0-2 DU/ACRE TO 3.5 DU/ACRE.
>
> more homes - closer together - more congestion.
>
> Please send your comments to the City Planner referencing this case GPA-SM-2-21-8:
> Enrique Bojorquez-Gaxiola at enrique.bojorquez-gaxiola@phoenix.gov
>
> You can see my comments below.
> The Developer is claiming increased costs of materials as to why he needs the increased density.
> The details of what they propose is attached. None of us got notice of this zoning change either.
>
> Please stay engaged and keep South Mountain beautiful.
> pass this one.
>
> Thank you.

Patti

---------- Forwarded message ---------
From: **Patti Trites** <pattihoash@gmail.com>
Date: Mon, Jun 14, 2021 at 9:54 AM
Subject: GPA-SM-2-21-8
To: Enrique A Bojorquez-Gaxiola <enrique.bojorquez-gaxiola@phoenix.gov>
Cc: Tamala Daniels <bestofphxliving@gmail.com>, M Busching (Cartof) <mjb@cartof.com>, Greg Brownell <brownell@cox.net>, Edward Aldama <edward@yourgreatestself.com>

Dear Enrique,

Hope you are fine.

I wanted to make you aware of my concerns on this case:
GPA-SM-2-21-8

A few items I wish to point out:
- **I and my neighbors were never notified of this proposed zoning change.**
  I am the HOA President of Southern Hills and have been since 2016.
- **There is no hydrology report done for this zoning change.**
  How does it impact the water in a 100 year storm event, especially downstream?
  The City incorporated this requirement for rezoning cases...if you recall.
- **I have a problem with their reasoning on the need to rezone.."due to increased costs of lumber etc."**

> "The primary reason for this density of 3.5 du/ac are the runaway costs of homebuilding and development. The primary reason for this density of 3.5 du/ac
> are the runaway costs of homebuilding and development. By example, according
> to the NAHB, just lumber alone is 300% greater in cost since April 2020 causing
> new single-family homes to increase by nearly $36,000 on average. There have
> been significant increases in almost every other component of home building,
> plumbing, roofing, concrete, etc. Price increases have also hit development very
> hard also. Asphalt and piping have gone up dramatically over the past year.
> The cost of materials, labor, developing lots, and homebuilding has increased so
> dramatically that homes built on 55'-wide lots will cost more than homes built on
> 80'-wide lots just one year ago. Thus the, 0-2 du/ac density currently assigned to
> this property would push home prices out of the range for all but a very few, and
> certainly beyond what the market can support in this area."

a. They will charge more for the homes; these are not affordable housing.
Builders are 'recouping these prices.
b. The development just next to this land, to the East, is by the same developer.
He kept that zoning at 0-2 du/acre for The Commons at South Mountain.
The builder had told me, at an initial call with Ben in 2020, that he was selling the homes there quickly.
Those prices were 480K - over $600K.
He can make that money on the existing zoning.
I am certain that the new homeowners at The Commons at South Mountain would be very upset with the zoning change if they were aware the same builder/developer wants to put smaller homes in smaller lots next to them.
c. **They must follow Rio Montana Guidelines....or what is the point of having guidelines**

Finally - when I had a call with the Developer and Ben in 2020, I told them to keep the same zoning; due the hydrology (i showed him the FLO-2D mapping for the area available by Maricopa County; and to get buy in from the Rio Montana Group across the street.
The worm farm and the landscape companies do not want the zoning change, he told me then.
I asked why the zoning change - h***e told me then that it was due to needing more homes to pay for the upgrade to 19th Avenue with sidewalks and sewers and the upgrade to South Mountain the city will want.***
- I don't see that reason on this document.

Do I have an opportunity to speak to this at the village?
Kindly please advise.

Thank you.

Patti

From:	H. Jewel Clark
To:	Enrique A Bojorquez-Gaxiola
Cc:	Erin Hegedus; mijosic; zacharyrbrooks@hotmail.com; Zachary Brooks; Stephen Williams; Dorothy Hallock; rhornback; azleatherking; ravi6161sharma@gmail.com; kimberly gomez; M.Rubio23@hotmail.com; M.Rubio_23@hotmail.com
Subject:	Rezoning Application #GPA-SM-2-21-8
Date:	Friday, June 11, 2021 11:26:50 AM
Attachments:	4826_001.pdf

Dear Mr. Bojorquez-Gaxiola,

I am writing to protest concurrent cases GPA-SM-2-21-8 (General Plan Amendment) and Z-31-21-8 (Rezoning) for the property at the southeast corner of 19th Avenue and South Mountain Avenue. My husband and I own property just on the other side of the proposed development at 2020 W. South Mountain Ave., and according to my husband who checks the mail, we did not receive notification of this zoning request. We were forwarded a copy by a neighbor just last night, June 10. Surely we are within the notification area for this development since it directly affects our transit to and from our home and our view from our property?

The proposed rezoning is in direct conflict with the city's Rio Montana development plan. As stated clearly in the plan on page 17, "Residential densities should transition from north to south in decreasing intensity." And as clearly laid out on the map on the following page, the area south of South Mountain Ave, and 19th Ave. is intended for 0-2 Du/ac. The current residents of the area have invested in and built on their properties to this standard and we have reasonable expectations of the city to uphold the tenets of this plan.

In addition, as we demonstrated just over 2 years ago when opposing similar development on the southwest side of South Mountain Ave. and 19th Ave., the infrastructure at the intersection of 19th Ave. and South Mountain Ave. is wholly inadequate to accommodate torrential run-off from South Mountain Park or the traffic congestion of an already overburdened intersection, which includes school traffic. This is not something a developer can remediate.

The developments that have adhered to the density and other design aspects of the Rio Montana plan have not been opposed in our area and we welcome new development when it aligns with that plan. Again, since we did not receive official notification for this rezoning request (assuming we are within the notification range) I would petition that there should be a delay in any hearing to verify all surrounding property owners have actually received official notification.
Sincerely,
Jewel Clark

--
H. Jewel Clark
hjewelclark@fastmail.com

From:	Kim Nelson
To:	Enrique A Bojorquez-Gaxiola
Subject:	Protest cases GPA-SM-2-21-8 and Z-31-21-8
Date:	Monday, August 2, 2021 11:16:05 AM
Attachments:	image001.png

Hello Enrique,

I would like to write in and protest concurrent cases GPA-SM-2-21-8 (General Plan Amendment and Z-31-21-8 (Rezoning) for the property at the southeast corner of 19th Avenue and South Mountain Avenue.

Please consider!!

Thank you so much,
Kim

KIMBERLY ZIMTBAUM
Regional Portfolio Executive

C: 602-478-9826 | O: 480-483-4981 Ext 3026
kimberly.nelson@chrobinson.com
www.chrobinson.com [chrobinson.com]
20860 N. Tatum Blvd | Suite 350 | Phoenix, Az 85050





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****

From:	larry Brown
To:	Enrique A Bojorquez-Gaxiola
Subject:	Rezoning application
Date:	Thursday, June 24, 2021 3:16:52 PM

Greetings Enrique,
I am Larry Brown of 8706 S. 16th Dr. PHOENIX, AZ 85041. I am writing in regards to the Rezoning application and Minor General Plan Amendment (Z-31-21-8 and GPA-Sm-2-21-8). According to the letter I received today from Withey Morris LLC., Providence Homes wishes to build on 55-foot-wide and 75-foot-wide lots with the 75-foot-wide lots being placed on the West and North perimeter. As a current resident in The Commons at South Mountain and my home being on the western perimeter of our neighborhood, I am concerned that we will have up to 3 homes adjacent to ours with the 55-Foot-wide lots being placed on the Eatern perimeter rather than possibly 2 homes if it were to place the 75-foot-wide lots here. Is it possible they put the incorrect location of these wider lots in this letter?
Is it possible to require a geen space between the neighborhoods in order to better protect the property value of the homes here in The Commons at South Mountain?

I appreciate your time and look forward to your response.

Respectfully,
Larry A. Brown
(520) 313-6339

From: Nicole
To: Enrique A Bojorquez-Gaxiola
Subject: Change in zoning in south mountain
Date: Thursday, June 17, 2021 3:06:11 PM

Hello I have made aware of developers changing the zoning in south mountain. South mountain is a beautiful area with low density with some farms and people riding horses in the area. I understand things change as I have seen the change the 12 years I have lived in the area. It would be nice if the slightly rural feel and and not densely populated areas closer to downtown. Please take this into consideration with case: GPA-SM-2-21-8.
Thank you
Nicole Stovall

Sent from my iPhone

From: Stan Flowers
To: Enrique A Bojorquez-Gaxiola
Subject: GPA-SM-2-21-8
Date: Thursday, June 24, 2021 1:49:11 PM

Dear Enrique,

I am writing to express my opposition to the GPA proposed for the Kimura Gardens housing project at 19th Avenue and South Mountain Road to change the current Plan's residential density from 0-2 du/acre to 2-3.48 du/acre. I've been a resident of the immediate area for 9 years and a south Phoenix/Laveen resident for 12 years.

The primary reason noted in the request is that costs of homebuilding and development have increased. In other words, the developers want to decrease the size of lots in order to squeeze more houses into this 49 acre plot of land in order to sell more houses. It's merely a profit-driven decision and not at all related to community development or wealth and quality of life.

The area south of South Mountain/19th Avenue is already becoming congested with traffic. Housing developments are either in the process or planned in several areas along Dobbins Road which is the next major east-west transportation artery south of this area:

- Silva Mountain - 67 lots already built and directly east of Kimura Gardens on South Mountain Road
- Dobbins Heights - 176 homes currently being built at 15th Avenue/Dobbins
- Winde Farms - 46 lots planned for the northeast corner of 27th Avenue/Dobbins
- Dobbins Manor - excavation underway on the southwest corner of 27th Avenue/Dobbins; I don't have information on the number of lots but the plat of land is probably 35-40 acres

19th Avenue via Dobbins Road has already become a viable shortcut for access to downtown Phoenix/I-17, and areas east of Central Avenue, due to serious and constant congestion on Baseline Road from 19th Avenue to 16th Street.

In regards to increasing the density unit per acre to support retail and commercial development at 19th Avenue and Baseline Road, that's a bit of a stretch. There's a lack of, and has always been a lack of, desirable amenities at that intersection other than fast food and of course the Lowe's store and CVS, despite constant homebuilding in this area. That's a problem looking for a solution from the Community and Economic Development Department and developers. So many of our local friends and neighbors travel out of the area to patronize.

As a south Phoenix resident whose 2-year old home was nearly destroyed by the 25 and 100-

year floods in August and September 2014, I am always concerned about the impacts of water flow from the mountains. 19th Avenue is a natural waterway from South Mountain down to Baseline. Intersections consistently flood between these two points. Has the developer been able to determine how this natural water flow will impact this development? The residents in our community are diligent in keeping our friends and neighbors aware of the need to inquire about water flow in these areas being developed for more homes.

In summary, it's obvious that the rural feel of South Mountain area and nearby Laveen are slowly disappearing. Housing developments are going to continue. However, allowing developers to amend General Plan decisions just to increase their profit margin, should not be a determinant for amendments. Community improvement and quality of life enhancements need to play a role.

Thank you for the opportunity to comment.

Stan Flowers
2425 W. Hayduk Rd.
Phoenix, AZ 85041
Southern Hills Community

From: T Ryan
To: Enrique A Bojorquez-Gaxiola
Subject: #Z-31-21-8 South Mountain and 19th Avenue
Date: Tuesday, June 29, 2021 4:19:02 PM

I'm writing to urge the Planning and Zoning Committee to deny the application to upzone the property at 19th Avenue and South Mountain. The original plan for the area south of Baseline was to maintain the agricultural/rural feel of the area. The roads and streets in this area cannot handle more people. 19th Avenue is 2 lanes (not two lanes each way, 2 lanes period). There is no shoulder on the road nor any turn lanes.

The two east/west roads for leaving the neighborhood are Baseline and Dobbins. Dobbins is another 2 lane road and Baseline is bumper to bumper with numerous car accidents daily. Please pull the police reports and you will see I am not exaggerating this. The new school at Baseline and 15th Avenue has also created a large traffic issue both before and after school. A new large apartment complex is under construction at 19th Avenue and Southern. This development will add to the traffic on Baseline as well since I'm sure many of their children will attend the school.

In short, the infrastructure from Baseline to the south does not lend itself to higher density building. Please contact me if you have further questions or would like me to testify before a hearing.

Regards,

Tammy Ryan
1822 W Moody Trail
Phoenix, AZ 85041
(602) 430-5965

Sent from Mail [go.microsoft.com] for Windows 10

From:	zach@zbrooks.com
To:	Enrique A Bojorquez-Gaxiola; jpoulsen@provhomes.com; ben@wtheymorris.com; Erin Hegedus
Subject:	Re: Rezoning Application #GPA-SM-2-21-8
Date:	Friday, June 11, 2021 11:27:42 AM
Attachments:	image001.png

Enrigue -

The Arizona Worm Farm, the property I own directly across from this proposed development is also opposed to this development as presented.

We will be sending you a formal response in the near future, but would appreciate an opportunity to meet with you (even virtually) while the project is still in review - before it gets formally presented to the South Mountain Village Planning Committee.

I would like to share my concerns with you and explain ways the development could be more consistent with the neighborhood and the general plan for the area. That way, perhaps you can help us get it to a desirable project before it gets a favorable recommendation from the planning department.

Can we meet?

Zach Brooks
602-418-6704

As always, leave us a comment with any questions regarding your worm farm, composting or anything sustainable farming related! Our farm hours of operation are listed below with links to our website and Facebook page where you can find out about our farm and sign up for vermicomposting classes held once a month at the farm!

_____

FB: Arizona Worm Farm https://www.facebook.com/arizonawormfarm/ [facebook.com]
Website: http://www.arizonawormfarm.com/ [arizonawormfarm.com]

_____

Hours of Operation/Visitation
Monday - Friday 8 am - 4 pm
Saturday 8 am - 1 pm
Closed Sundays

On Friday, June 11, 2021, 10:58:15 AM MST, Erin Hegedus <erintkhegedus@hotmail.com> wrote:

Thank you for your response, I am sure you will be receiving many more emails contesting the rezoning as we have previously presented our case when the southwest corner was requested for rezoning to higher density housing.

Get Outlook for iOS [aka.ms]

From: Enrique A Bojorquez-Gaxiola <enrique.bojorquez-gaxiola@phoenix.gov>
Sent: Friday, June 11, 2021 10:29:04 AM
To: Erin Hegedus <erinTKhegedus@hotmail.com>; AZleatherking@aol.com <AZleatherking@aol.com>; jpoulsen@provhomes.com <jpoulsen@provhomes.com>; ben@wtheymorris.com <ben@wtheymorris.com>; Helen Jewel Clark <hjewelclark@fastmail.com>; mikejosic@gmail.com <mikejosic@gmail.com>; zach@zbrooks.com <zach@zbrooks.com>; Dorothy Hallock <dh@hallockgross.com>; Cyd Manning <sweetbeat@q.com>
Subject: RE: Rezoning Application #GPA-SM-2-21-8

Good morning Erin,

How are you? This is Enrique Bojorquez, South Mountain Village Planner with the city of Phoenix. Thank you for your statement in regards to concurrent cases GPA-SM-2-21-8 (General Plan Amendment) and Z-31-21-8 (Rezoning) for the property at the southeast corner of 19th Avenue and South Mountain Avenue. I will add your statement to the case file for the review of our team and the public bodies that will hear these two cases in the next few months.

At the moment, rezoning cases are required by the city to host an online virtual meeting, teleconference or another alternative meeting format where members of the public can safely engage with the applicant on the project (due to the Emergency Declaration issued by City Council in 2020 arising from COVID-19 concerns). Over the past year, most applicants have elected to host an online virtual meeting to meet this requirement. There will also be a website created by the applicant on these cases where project documents will be displayed for public review.

If you have any questions about the city process, public hearings, other aspects of these cases involving the city, please contact me at your convenience.

Thank you very much,

Enrique Bojórquez Gaxiola
Planner II – Village Planner
City of Phoenix
Planning & Development Department
Long Range Planning
200 W. Washington Street
Phoenix, AZ 85003
Office: (602) 262-6949



***I am currently working remotely on a rotational schedule, but will be checking voicemails multiple times per day. Please feel free to leave me a voice message or email me for a more timely response. Thank

you.***

From: Erin Hegedus <erinTKhegedus@hotmail.com>
Sent: Thursday, June 10, 2021 6:04 PM
To: AZleatherking@aol.com; Enrique A Bojorquez-Gaxiola <enrique.bojorquez-gaxiola@phoenix.gov>; jpoulsen@provhomes.com; ben@wtheymorris.com; Helen Jewel Clark <hjewelclark@fastmail.com>; mikejosic@gmail.com; zach@zbrooks.com; Dorothy Hallock <dh@hallockgross.com>; Cyd Manning <sweetbeat@q.com>
Subject: Rezoning Application #GPA-SM-2-21-8

Good afternoon, I am in receipt of your letter advising that you are requesting rezoning from 1-2 DU/AC to 2-3.5 DU/AC

I am writing to contest the rezoning. Among many other issues, the infrastructure, does not support this change. Dobbins Road, 19th Avenue, South Mountain Avenue are two lane roads that are already exhausted by traffic.

I am asking at this time is that when you schedule your “neighborhood meeting” as stated in your letter dated 6/7/2021 that you schedule it at a time/location that is convenient for the neighbors that this rezoning affects.
Perhaps after 6 pm at a location in the 85041 location

Sent from Mail [go.microsoft.com] for Windows 10

From: Dean Chiarelli
To: Enrique A Bojorquez-Gaxiola
Subject: CORRECTION Rezoning Feedback
Date: Tuesday, June 29, 2021 8:00:11 PM

Mr. Bojorquez-Gaxiola,

Please disregard my e-mail sent earlier today regarding Application #Z-31-21-8, and GPA-SM-2-21-8

I am a resident in South Phoenix and DO NOT support approval of the application. I encourage the South Mountain Village Planning Committee to limit rezoning residential development to 2-3 homes per acre maximum.

Dean Chiarelli, Master of Arts, Registered Dietitian, Registered Environmental Health Specialist
Electronic Signature *Dean Chiarelli*

From:	Patti Trites
To:	Enrique A Bojorquez-Gaxiola
Cc:	Tamala Daniels; Marcia Busching; Greg Brownell; edward@yourgreatestself.com
Subject:	GPA-SM-2-21-8
Date:	Monday, June 14, 2021 9:55:06 AM

Dear Enrique,

Hope you are fine.

I wanted to make you aware of my concerns on this case:
GPA-SM-2-21-8

A few items I wish to point out:
- **I and my neighbors were never notified of this proposed zoning change.**
I am the HOA President of Southern Hills and have been since 2016.
- **There is no hydrology report done for this zoning change.**
How does it impact the water in a 100 year storm event, especially downstream?
The City incorporated this requirement for rezoning cases...if you recall.
- **I have a problem with their reasoning on the need to rezone.."due to increased costs of lumber etc."**

> "The primary reason for this density of 3.5 du/ac are the runaway costs of homebuilding and development. The primary reason for this density of 3.5 du/ac are the runaway costs of homebuilding and development. By example, according to the NAHB, just lumber alone is 300% greater in cost since April 2020 causing new single-family homes to increase by nearly $36,000 on average. There have been significant increases in almost every other component of home building, plumbing, roofing, concrete, etc. Price increases have also hit development very hard also. Asphalt and piping have gone up dramatically over the past year. The cost of materials, labor, developing lots, and homebuilding has increased so dramatically that homes built on 55'-wide lots will cost more than homes built on 80'-wide lots just one year ago. Thus the, 0-2 du/ac density currently assigned to this property would push home prices out of the range for all but a very few, and certainly beyond what the market can support in this area."

a. They will charge more for the homes; these are not affordable housing. **Builders are 'recouping these prices.**
b. The development just next to this land, to the East, is by the same developer.
He kept that zoning at 0-2 du/acre for The Commons at South Mountain.
The builder had told me, at an initial call with Ben in 2020, that he was selling the homes there quickly.
Those prices were 480K - over $600K.
He can make that money on the existing zoning.
I am certain that the new homeowners at The Commons at South Mountain would be very upset with the zoning change if they were aware the same builder/developer wants to put smaller homes in smaller lots next to them.
c. **They must follow Rio Montana Guidelines....or what is the point of having guidelines**

Finally - when I had a call with the Developer and Ben in 2020, I told them to keep the same zoning; due the hydrology (i showed him the FLO-2D mapping for the area available by Maricopa County; and to get buy in from the Rio Montana Group across the street.
The worm farm and the landscape companies do not want the zoning change, he told me then.
I asked why the zoning change - h***e told me then that it was due to needing more homes to pay for the upgrade to 19th Avenue with sidewalks and sewers and the upgrade to South Mountain the city will want.***
- I don't see that reason on this document.

Do I have an opportunity to speak to this at the village?
Kindly please advise.

Thank you.

Patti

--
Hope you have a great day. Thank you.

Patti Trites
Southern Hills HOA

Cell: 402 213 7126
Email: pattihoash@gmail.com

From:	Patti Trites
To:	Adam Baugh; Enrique A Bojorquez-Gaxiola
Cc:	John S. Poulsen (jpoulsen@provhomes.com); Tamala Daniels; Marcia Busching
Subject:	Re: FW: Opposition Letter - Z-31-21-8 and GPA-SM-2-21-8
Date:	Friday, June 25, 2021 7:07:10 AM
Attachments:	image004.png

Dear Adam,

Hello. Thank you for your email.

I remain open to meey with you and your client, John.

I would request that you invite two others critical to this project: someone from the new development John built, The Commons at Providence, and someone from the Rio Montana subdivision.

These immediate neighbors' feedback along with other neighbor's is critical as you move forward.

Let me know when you have them available and I will gladly meet.

Always working to help out.

By the way, I never received the first notice. I received the second notice yesterday of the zoom meeting July 7th, but it came to me due to my complaint not as a homeowner. My neighbors have not been notified by your client.

Enrique- please include in correspondence to the Village on this project..

Thank you.

Patti

On Fri, Jun 25, 2021, 2:17 AM Adam Baugh <adam@witheymorris.com> wrote:

> Hi Patti,
>
> I hope you're doing well. I miss seeing you on the village. You were always very kind to me.
>
> I just wanted to follow up with you about a project we discussed back in February. I hope you might recall the zoom call we did with you and my client John Poulsen. He is a sweet man, very warm and grandfatherly. You might recall we mentioned how he developed The Commons on South Mountain Avenue east of 19th Avenue, and was soon going to develop the land he owns at the southeast corner of that intersection. When we shared our plans with you in February you were complementary to the project and warned us to pay close attention to the drainage study, which we did thankfully based on your advice.

Enrique forwarded me your letter of opposition which surprised me and is a different tone. But I also know I need to do the necessary work to address concerns. Would you be open to meeting with John and I soon?

G. Adam Baugh, Esq.

Withey Morris PLC

2525 E Arizona Biltmore Circle #A-212

Phoenix, AZ 85016

Ph: (602) 230-0600
Fax: (602) 212-1787

[linkedin.com]

WM_Logo_1615U_K

[witheymorris.com]

Please be advised that this e-mail and any files transmitted with it are confidential attorney-client communication or may otherwise be privileged or confidential and are intended solely for the individual or entity to whom they are addressed. If you are not the intended recipient, please do not read, copy or retransmit this communication, but destroy it immediately. Any unauthorized dissemination, distribution or copying of this communication is strictly prohibited.

Lot 36

Enrique Bojorquez-Gaxiola
South Mountain Village Planner
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: New Residential Community at SEC of 19th Avenue and South Mountain Ave

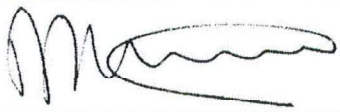
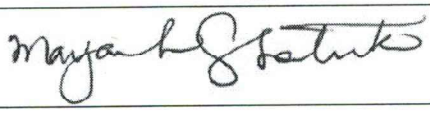
Dear Enrique:

We are homeowners at the Commons at South Mountain which is located east of the southeast corner of 19th Avenue and South Mountain Avenue. We are aware Providence Homes/Newcastle Development plans to build a new residential neighborhood on the vacant land directly west of us. Providence Homes was also the homebuilder of our community and we know and trust the quality and workmanship of their homebuilding craft.

We are delighted to see their new community next door and we are pleased Providence Homes has agreed to build only one-story homes along our shared property line. This is a good example of compatible development next to our community.

We wish them success in their endeavor, and we support their pending rezone application with the City of Phoenix.

Sincerely,

Name	Address	Signature
1. David Gilpatrick	8432 S. 16th Drive Phoenix Az 85041	
2. Marjaneh Gilpatrick	8432 S. 16th Drive Phoenix Az 85041	
3.		
4.		
5.		

LOT 20

Enrique Bojorquez-Gaxiola
South Mountain Village Planner
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: New Residential Community at SEC of 19th Avenue and South Mountain Ave

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Sincerely,

Name	Address	Signature
1. DANIEL S. MARTIN	8612 S 16th DR PHOENIX, AZ 85041	Daniel S. Martin
2.		
3.		
4.		
5.		
6.		

Lot 29

Enrique Bojorquez-Gaxiola
South Mountain Village Planner
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: New Residential Community at SEC of 19th Avenue and South Mountain Ave

Dear Enrique:

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Sincerely,

Name	Address	Signature
1. Joe Hankins	1520 W Ardmore Rd	
2. Ashley Hankins	1520 W Ardmore Rd	
3.		
4.		
5.		

LOT 11

Enrique Bojorquez-Gaxiola
South Mountain Village Planner
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: New Residential Community at SEC of 19th Avenue and South Mountain Ave

Dear Enrique:

We are homeowners at the Commons at South Mountain which is located east of the southeast corner of 19th Avenue and South Mountain Avenue. We are aware Providence Homes/Newcastle Development plans to build a new residential neighborhood on the vacant land directly west of us. Providence Homes was also the homebuilder of our community and we know and trust the quality and workmanship of their homebuilding craft.

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Sincerely,

Name	Address	Signature
1. Susanna B Mayers	1517 West Ardmore Road	*Susanna B Mayers*
2.		
3.		
4.		
5.		

LOT 9

Enrique Bojorquez-Gaxiola
South Mountain Village Planner
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: New Residential Community at SEC of 19th Avenue and South Mountain Ave

Dear Enrique:

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Sincerely,

Name	Address	Signature
1. Paul Moore	1509 W Ardmore Rd Phoenix, AZ 85041	Paul Moore
2. Patricia Moore	1509 W Ardmore Rd Phoenix, AZ 85041	Patricia Moore
3.		
4.		
5.		

Lots 28, 32, 75

Enrique Bojorquez-Gaxiola
South Mountain Village Planner
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: New Residential Community at SEC of 19th Avenue and South Mountain Ave

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We wish them success in their endeavor, and we support their pending rezone application with the City of Phoenix.

Sincerely,

Name	Address	Signature
1. Anne VanLeeuwen	8607 S 16th Drive	Anne VanLeeuwen
2. Kynda Lane	"	Kynda Lane
3. Tina McAllister	1508 West Ardmore Phoenix AZ	
4. Steve LaPine	8509 S 16th Dr Phx Az 85041	
5.		

LOTS 12, 26

Enrique Bojorquez-Gaxiola
South Mountain Village Planner
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: New Residential Community at SEC of 19th Avenue and South Mountain Ave

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We wish them success in their endeavor, and we support their pending rezone application with the City of Phoenix.

Sincerely,

Name	Address	Signature
1. James M Irey	1521 W. Ardmore Rd Phoenix, AZ 85041	
2. Jennifer Terstriep	8513 S. 16th DR. Phoenix, AZ 85041	
3.		
4.		
5.		

LOT 14

Enrique Bojorquez-Gaxiola
South Mountain Village Planner
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: New Residential Community at SEC of 19th Avenue and South Mountain Ave

Dear Enrique:

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Sincerely,

Name	Address	Signature
1. Larry A. Brown Hope Ann Brown	8706 S 16th Drive	
2.		
3.		
4.		
5.		

LOT 7

Enrique Bojorquez-Gaxiola
South Mountain Village Planner
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: New Residential Community at SEC of 19th Avenue and South Mountain Ave

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Sincerely,

Name	Address	Signature
1. Charles & Antoinette Rivera	1506 W Caldwell Street	Charles F Rivera Charles F Rivera and Antoinette M Rivera 09/30/2020 Antoinette M. Rivera
2.		
3.		
4.		
5.		

LOT 10

Enrique Bojorquez-Gaxiola
South Mountain Village Planner
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: New Residential Community at SEC of 19th Avenue and South Mountain Ave

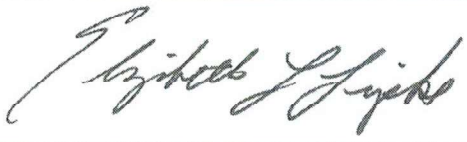
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We wish them success in their endeavor, and we support their pending rezone application with the City of Phoenix.

Sincerely,

Name	Address	Signature
1. Elizabeth Lipke & Scott Hennen	1513 W Ardmore Road Phoenix, AZ 85041	
2.		
3.		
4.		
5.		

LOTS 17, 22

Enrique Bojorquez-Gaxiola
South Mountain Village Planner
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: New Residential Community at SEC of 19th Avenue and South Mountain Ave

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We wish them success in their endeavor, and we support their pending rezone application with the City of Phoenix.

Sincerely,

Name	Address	Signature
1. Isaac Perez	1541 W. Ardmore	
2. Michelle Carhart	" "	Michelle Carhart
3. Brittany Emmerman	8645 S 16th Dr. Phx 85041	Brittany Emmerman
4. Carlos Emmerman	" "	
5.		
6.		

LOT 14

Enrique Bojorquez-Gaxiola
South Mountain Village Planner
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: New Residential Community at SEC of 19th Avenue and South Mountain Ave

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We wish them success in their endeavor, and we support their pending rezone application with the City of Phoenix.

Sincerely,

Name	Address	Signature
1. ANDY WILLETT	1529 W ARDMORE RD, PHX	
2.		
3.		
4.		
5.		

From:	Seidy Lasker
To:	Enrique A Bojorquez-Gaxiola
Subject:	Rezoning
Date:	Tuesday, June 29, 2021 3:57:10 PM

Hi, I would just like to say I 100% support all rezoning efforts in South Phoenix including the one on 19th ave & South Mountain. I think 3+ lots per acre is great and more higher density housing to increase affordability including condos.

I believe there needs to be a bigger push towards rezoning to create more affordable living in Buckeye, Goodyear, Avondale.

I don't believe in single family rentals though. I think if houses are to be built, they should be built for sale and not an entire community for rent unless its an apartment complex.

Thanks

--

Seidy Lasker | **Personal:** 602-710-7835

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

ADDENDUM A
Staff Report: Z-31-21-8
December 9, 2021

South Mountain Village Planning Committee Meeting Dates:	November 9, 2021 December 14, 2021
Planning Commission Hearing Date:	December 2, 2021 January 6, 2022
Request From:	S-1 (Ranch or Farm Residence District) (49.52 acres)
Request To:	R1-10 (Single-Family Residence District) (49.52 acres)
Proposed Use:	Single-family detached residential community
Location:	Southeast corner of 19th Avenue and South Mountain Avenue
Owner:	New Castle Development, LLC
Applicant:	Providence Homes
Representative:	Benjamin Tate, Withey Morris, PLC
Staff Recommendation:	Approval, subject to stipulations

The South Mountain Village Planning Committee heard this rezoning request on November 9, 2021 and voted (13-0) to continue the case to the December 14, 2021 South Mountain Village Planning Committee meeting, in agreement with the applicant. Subsequently, the case was continued to the January 6, 2022 Planning Commission hearing.

As a result of the discussion at the November 9, 2021 Village Planning Committee meeting, the applicant has provided an updated site plan and a landscape plan, attached to this report, that depicts a decrease in the number of lots from 160 to 156 on the subject site. Furthermore, the applicant has requested to limit all homes in this development to a maximum height of one story and 22 feet.

Other changes to the site and landscape plans include the off-setting of lots, lot width adjustments for 55-foot and 60-foot wide lots, depiction of amenity areas and pedestrian pathways. A minor reduction to the open space percentage from 17 percent to 16 percent resulted from these changes. Due to these changes, staff recommends modifying the following stipulations:

- **Stipulation No. 1** regarding general conformance with the site plan and update to the open space percentage;
- **Stipulation No. 3** regarding limitations to single-story homes;
- **Stipulation No. 9** regarding a requirement to provide pedestrian access gates to the Western Canal from adjacent public streets;
- **Stipulation No. 11.** regarding the development of open space areas in general conformance to the landscape plan;
- **Stipulations No. 12 and 13** regarding a clarification on the shade and live coverage standards;
- **Stipulation No. 21** regarding updates to disclosure documents on agricultural uses;
- New **Stipulation No. 22** regarding disclosure of a shooting range at the Phoenix Police Academy approximately 0.8 miles southeast of the site;
- **Stipulation Nos. 23 through 26** have been renumbered;
- New **Stipulation No. 27** to require a bus stop pad be provided along 19th Avenue as requested by the South Mountain Village Planning Committee.

Leading up to and following the December 14, 2021 South Mountain Village Planning Committee meeting, staff received additional correspondence from the public regarding this case. This additional correspondence is also attached.

Staff recommends approval per the modified stipulations, reflecting updates to the site plan, provided below:

Stipulations

1. The development shall be in general conformance with the site plan date stamped ~~November 2, 2021~~ NOVEMBER 24, 2021, as modified by the following stipulations and approved by the Planning and Development Department with specific regard to the following:

    a. Lots 1 through 28 shall be a minimum of 75 feet in width.

    b. All other lots shall be a minimum of 55 feet in width.

    c. Portions of lots 28 and 29 may be modified to accommodate any required canal frontage standards.

    d. The location of the open space areas.

    e. A minimum of ~~17~~ 16 percent of the gross site area shall be provided as open space.

f. A minimum building setback of 150 feet, exclusive of fencing or entry features, shall be provided along the western perimeter property line along 19th Avenue.

2. The required landscape setbacks shall be planted with minimum 50-percent 2-inch caliper and 50-percent 3-inch caliper large canopy drought-tolerant trees, 20 feet on center or in equivalent groupings, with five 5-gallon shrubs per tree, as approved by the Planning and Development Department.

3. The maximum building height shall be limited to ~~two stories and 30 feet, except that lots 1 through 53, 82, 83, 108, 109, 159 and 160 as depicted on the site plan date stamped November 2, 2021, shall be limited to~~ one story and ~~20~~ 22 feet.

4. All lots within the development shall be subject to Single-Family Design Review, including 75-foot wide lots, as approved by the Planning and Development Department.

5. Building elevations shall be developed to the following standards, as approved by the Planning and Development Department:

a. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco, or other materials to provide a decorative and aesthetic treatment.

b. A minimum of 50 percent of the elevations for each floor plan shall provide a covered front porch in the front yard with a minimum of 60 square feet in area at a depth of at least six feet. No porch shall terminate within the plane of a door or window.

c. Pitched roofs shall be provided on all building elevations.

6. The development shall be in general conformance with the fencing exhibit (landscape plan) and elevations date stamped October 14, 2021, as modified by the following stipulations and approved by the Planning and Development Department.

a. Full open view fencing shall be utilized where an open space tract is adjacent to a canal.

b. Where view fencing is required by the Zoning Ordinance, a combination of solid masonry wall and view fencing may be utilized. The solid portion of the wall shall not exceed 4 feet in height.

c. Perimeter walls bounding the rear yard property lines of residential lots along South Mountain Avenue shall include minimum 3-foot offsets.

d. Perimeter walls bounding the rear yard property lines of residential lots along South Mountain Avenue shall be limited to a maximum of 5 feet solid and topped with open view fencing, as approved by the Planning and Development Department.

7. Project entry drives along 19th Avenue and South Mountain Avenue shall be constructed of decorative pavers, stamped or colored concrete, or similar alternative material, as approved by the Planning and Development Department.

8. Project entry drives shall incorporate enhanced landscaping on both sides planted with a variety of at least three plant materials, as approved by the Planning and Development Department. Each landscaped area shall be a minimum of 250-square feet.

9. A minimum system of pedestrian connections shall be provided, as described below and as approved by the Planning and Development Department:

a. A system of pedestrian connections to/between via the most direct route:

(1) Amenity areas.

(2) Sidewalks.

(3) Pedestrian path connecting the northern and southern portions of the site via a centralized pathway.

(4) The common open space tract along the southeast corner of 19th Avenue and South Mountain Avenue shall contain a minimum 8-foot wide pedestrian pathway that connects the development with the sidewalk at 19th Avenue or South Mountain Avenue near the street intersection. This pathway shall be constructed of decomposed stabilized granite, decorative pavers, stamped or colored concrete, or similar alternative material. The landscaped tract shall contain minimum 2-inch caliper shade trees planted a minimum of 25 feet on center or equivalent groupings, along both sides of the pedestrian pathway.

(5) A minimum 8-foot wide pedestrian pathway shall connect the development with the multi-use trail along the Western Canal. This pathway shall be provided within an average 30-foot wide landscape tract and constructed of decomposed stabilized granite, decorative pavers, stamped or colored concrete, or similar alternative material.

(6) THE DEVELOPER SHALL PROVIDE A PEDESTRIAN ACCESS GATE TO THE WESTERN CANAL ALONG THE SOUTHEASTERN PROPERTY LINE AND A PEDESTRIAN GATE ALONG BOTH 19TH AVENUE AND SOUTH MOUNTAIN AVENUE. THE PEDESTRIAN GATES SHALL BE CONNECTED TO THE INTERNAL PEDESTRIAN

PATHWAYS BY ACCESSIBLE SIDEWALKS.

10. No more than 50 percent of the landscape areas within common areas or 10 percent of the net development area whichever is less, should be planted in turf or high-water use plants. Turf areas should be located only in the common open space areas, including retention basins, as approved by the Planning and Development Department. This requirement does not apply to landscaping located within private yards on individual lots.

11. ~~The following minimum shall be provided and dispersed throughout the development, as approved by the Planning and Development Department:~~ OPEN SPACE AREAS SHALL BE IN GENERAL CONFORMANCE WITH THE LANDSCAPE PLAN DATE STAMPED NOVEMBER 24, 2021, AS MODIFIED BY THE STIPULATIONS AND INCORPORATING THE FOLLOWING AMENITIES, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARMTENT:

    a. Tot lot with shade equipment;

    b. Two picnic areas each with a barbeque grill, shade ramada and a picnic table;

    c. Four benches or seating features; and

    d. Garden amenity of no less than a combined 1,000 square feet in size.

12. All sidewalks along 19th Avenue shall be detached with a landscape strip located between the sidewalk and back of curb following the most recent Cross Section of the Street Classification Map and planted to the following standards, as approved by the Planning and Development Department.

    a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 25 feet on center or in equivalent groupings that provide shade to a minimum 75 percent AT MATURITY.

    b. Drought tolerant vegetation to achieve 75 percent live coverage AT MATURITY.

    Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

13. All sidewalks along South Mountain Avenue shall be detached with a minimum five-foot wide landscape strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.

a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 25 feet on center or in equivalent groupings that provide shade to a minimum 75 percent AT MATURITY.

b. Drought tolerant vegetation to achieve 75 percent live coverage AT MATURITY.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

14. The developer shall dedicate a 30-foot wide multi-use trail easement (MUTE) along the east side of 19th Avenue and construct a minimum 10-foot wide multi-use trail (MUT) within the easement in accordance with the MAG supplemental detail, as approved by the Planning and Development Department. The developer shall work with the Site Planning section on an alternate design for this requirement through the technical appeal process.

15. The developer shall dedicate minimum 50 feet of right-of-way and construct the east side of 19th Avenue, as approved by the Planning and Development Department.

16. The developer shall provide the following dedications and construct the south half of South Mountain Avenue in the following manner, as approved by the Planning and Development Department:

    a. Thirty feet of right-of-way between 19th Avenue and 17th Drive.

    b. Forty-four feet of right-of-way east of 17th Drive extending to the eastern boundary of the subject site.

17. The developer shall underground all existing overhead utility lines adjacent to the site.

18. The developer shall provide conduit and junction boxes at the southeast corner of 19th Avenue and South Mountain Road for future traffic signal equipment, as approved by the Street Transportation Department.

19. Existing irrigation facilities along 19th Avenue and South Mountain Avenue shall be undergrounded and/or relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish appropriate process to relocate facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.

20. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

21. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property within the development~~(s)~~ the existence and operational characteristics of agricultural ~~and farming activities~~ USES. THESE DOCUMENTS MUST ADVISE PURCHASERS THAT, UNDER SECTION 3-112(E), ARIZONA REVISED STATUES, THE CITY OF PHOENIX MAY NOT DECLARE AN AGRICULTURAL OPERATION CONDUCTED ON FARMLAND TO BE A NUISANCE IF THE AGRICULTURAL ACTIVITY USE IS LAWFUL, CUSTOMARY, REASONABLE, SAFE AND NECESSARY TO THE AGRICULTURE INDUSTRY. The form and content of such documents shall be ~~according to the templates and instructions provided which have been~~ reviewed and approved by the City A~~ttorney~~ PRIOR TO RECORDATION.

22. PRIOR TO FINAL SITE PLAN APPROVAL, THE PROPERTY OWNER SHALL RECORD DOCUMENTS THAT DISCLOSURE TO PURCHASERS OF PROPERTY WITHIN THE DEVELOPMENT THE EXISTENCE AND OPERATIONAL CHARACTERISTICS OF THE PHOENIX REGIONAL POLICE ACADEMY GUN RANGE. THE FORM AND CONTENT OF SUCH DOCUMENTS SHALL BE REVIEWED BY THE CITY PRIOR TO RECORDATION.

~~22.~~ The property owner shall record documents that disclose the existence, and
23. operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

~~23.~~ The developer shall grant and record an avigation easement to the City of Phoenix
24. Aviation Department for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.

~~24.~~ The developer shall provide a No Hazard Determination for the proposed
25. development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.

~~25.~~ In the event archeological materials are encountered during construction, the
26. developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archeologist, and allow time for the Archeology Office to properly assess the materials.

27. THE DEVELOPER SHALL DEDICATE RIGHT-OF-WAY AND CONSTRUCT ONE BUS STOP PAD ALONG NORTHBOUND 19TH AVENUE TOWARDS THE SOUTH END OF THE SITE. THE BUS STOP PAD SHALL BE CONSTRUCTED ACCORDING TO CITY OF PHOENIX STANDARD DETAIL P1260 WITH A MINIMUM DEPTH OF 10 FEET.

Exhibits

Conceptual Site Plan date stamped November 24, 2021 (2 pages)
Conceptual Landscape Plan date stamped November 24, 2021
Correspondence from the public (14 pages)

PRELIMINARY SITE PLAN
FOR
KIMURA GARDENS
A PORTION OF SOUTHEAST QUARTER OF SECTION 6,TOWNSHIP 1 SOUTH, RANGE 3 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, CITY OF PHOENIX

LEGAL DESCRIPTION

-PARCEL NO. 1:

LOT 6 OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA,

EXCEPT THE WEST 33 FEET CONVEYED TO MARICOPA COUNTY, BY QUIT CLAIM DEED RECORDED IN BOOK 105 OF DEEDS, PAGE 361, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 2:

THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE FOLLOWING DESCRIBED PROPERTY;

THAT PART OF THE NORTHEAST OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER SAID CORNER BEING MARKED WITH A CONCRETE MONUMENT ;

THENCE WEST (ASSUMEDBEARING) ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER 938.38 FEET TO A POINT MARKED WITH AN IRON PIPE;

THENCE SOUTH 00 DEGREES 3 MINUTES WEST ALONG A FENCE 1296.60 FEET TO A POINT MARKED WITH AN IRON PIPE;

THENCE NORTH 49 DEGREES 47 MINUTES EAST ALONG THE NORTHWEST SIDE OF A DITCH 660.05 FEET TO A POINT MARKED WITH AN IRON PIPE;

THENCE NORTH 40 DEGREES 26 MINUTES EAST CONTINUING ALONG SAID DITCH 250.40 FEET TO A POINT MARKED WITH AN IRON PIPE;

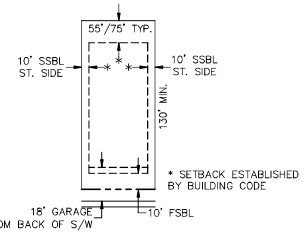
THENCE NORTH 27 DEGREES 30 MINUTES EAST CONTINUING ALONG SAID DITCH 596.80 FEET TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, SAID POINT BEING MARKED WITH AN IRON PIPE;

THENCE NORTH 0 DEGREES 16 MINUTES WEST ALONG SAID EAST LINE 142.93 FEET TO THE POINT OF BEGINNING; AND

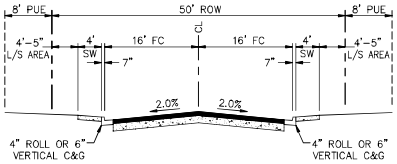
EXCEPT ANY PORTION LYING EASTERLY OF THE WEST RIGHT OF WAY LINE OF THE WESTERN CANAL.

R1-10 DEVELOPMENT STANDARDS - PRD

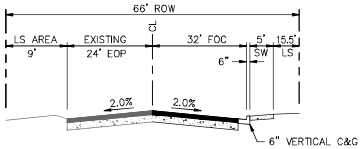
STANDARDS	PLANNED RESIDENTIAL DEVELOPMENT	PROPOSED STANDARD
MIN LOT WIDTH (IN THE EVENT OF HORIZONTAL PROPERTY REGIMES, "LOT" SHALL REFER TO THE WIDTH OF THE STRUCTURE AND EXCLUSIVE USE AREA)	45' MINIMUM (UNLESS APPROVED BY EITHER THE DESIGN ADVISOR OR THE SINGLE FAMILY ARCHITECTURAL APPEALS BOARD FOR DEMONSTRATING ENHANCED ARCITECTURE THAT MINIMIZES THE IMPACT OF THE GARAGE.	55'
MINIMUM LOT DEPTH	NONE, EXCEPT 110' ADJACENT TO FREEWAY OR ARTERIAL	119'
DWELLING UNIT DENSITY (UNITS/GROSS ACRE)	3.5; 4.5 WITH BONUS	3.14 DU/AC
MIN. PERIMETER BUILDING SETBACKS	STREET (FRONT, REAR OR SIDE): 15' (IN ADDITION TO LANDSCAPE SETBACK); PROPERTY LINE (REAR): 15' (1-STORY), 20' (2-STORY); PROPERTY LINE (SIDE): 10' (1-STORY) 15' (2-STORY)	STREET (FRONT, REAR OR SIDE) 15', (IN ADDITION TO LANDSCAPE SETBACK); PROPERTY LINE (REAR) 15' (1-STORY) 20' (2-STORY), PROPERTY LINE (SIDE); 10' (1-STORY) 15' (2-STORY)
COMMON LANDSCAPED SETBACK ADJACENT TO PERIMETER STREETS	15' AVERAGE, 10' MINIMUM (DOES NOT APPLY TO LOTS FRONTING ONTO PERIMETER STREETS)	15' AVERAGE, 10' MINIMUM (DOES NOT APPLY TO LOTS FRONTING ONTO PERIMETER STREETS)
MIN. INTERIOR BUILDING SETBACK	FRONT: 10',REAR: NONE, (ESTABLISHED BY BUILDING CODE); STREET SIDE: 10' SIDES: NONE (ESTABLISHED BY BUILDING CODE)	FRONT: 10',REAR: NONE, (ESTABLISHED BY BUILDING CODE); STREET SIDE: 10' SIDES: NONE (ESTABLISHED BY BUILDING CODE)
MIN. BUILDING SEPARATION	NONE	NONE
MIN. GARAGE SETBACK	18' FROM BACK OF SIDEWALK FOR FRONT-LOADED GARAGES, 10' FROM PROPERTY FOR SIDE-LOADED GARAGES	18' FROM BACK OF SIDEWALK FOR FRONT-LOADED GARAGES, 10' FROM PROPERTY FOR SIDE-LOADED GARAGES
MIN. GARAGE WIDTH	FOR LOTS <60': 2 CAR WIDTHS, FOR LOTS ≥60' TO 70': 3 CAR WIDTHS, FOR LOTS >70': NO MAXIMUM	FOR LOTS <60': 2 CAR WIDTHS, FOR LOTS ≥60' TO 70': 3 CAR WIDTHS, FOR LOTS >70': NO MAXIMUM
MAXIMUM HEIGHT	2 STORIES AND 30' (EXCEPT THAT 3 STORIES NOT EXCEEDING 30' ARE PERMITTED WHEN APPROVED BY THE DESIGN ADVISOR FOR DEMONSTRATING ENHANCED ARCHITECTURE.	2 STORIES AND 30' (EXCEPT THAT 3 STORIES NOT EXCEEDING 30' ARE PERMITTED WHEN APPROVED BY THE DESIGN ADVISOR FOR DEMONSTRATING ENHANCED ARCHITECTURE.
LOT COVERAGE	PRIMARY STRUCTURE, NOT INCLUDING ATTACHED SHADE STRUCTURES: 40% TOTAL 50%	PRIMARY STRUCTURE, NOT INCLUDING ATTACHED SHADE STRUCTURES: 40% TOTAL 50%
COMMON AREAS	MINIMUM 5% OF GROSS AREA	16.5%
ALLOWED USES	SINGLE-FAMILY DETACHED	SINGLE-FAMILY DETACHED
REQUIRED REVIEW	DEVELOPMENT REVIEW PER SECTION 507, AND SUBDIVISION TO CREATE 4 OR MORE LOTS	DEVELOPMENT REVIEW PER SECTION 507, AND SUBDIVISION TO CREATE 4 OR MORE LOTS
STREET STANDARDS	PUBLIC STREET OR PRIVATE ACCESSWAY(1)	PUBLIC STREET OR PRIVATE ACCESSWAY(1)
ON-LOT AND COMMON RETENTION	COMMON RETENTION REQUIRED FOR LOTS LESS THAN 8,000 SQ. FT. PER GRADING AND DRAINAGE ORDINANCE REQUIREMENTS	COMMON RETENTION AREAS
LANDSCAPE STANDARDS	PERIMETER COMMON: TREES SPACED A MAXIMUM OD 20 TO 30 FEET ON CENTER (BASED ON SPECIES) OR IN EQUIVALENT GROUPINGS, AND 5 SHRUBS PER TREE.	PERIMETER COMMON: TREES SPACED A MAXIMUM OD 20 TO 30 FEET ON CENTER (BASED ON SPECIES) OR IN EQUIVALENT GROUPINGS, AND 5 SHRUBS PER TREE.



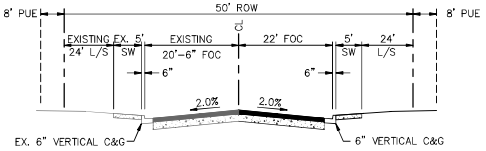
TYPICAL LOT DETAIL



LOCAL STREET
COP DETAIL P1014
TYPICAL CROSS SECTION A
N.T.S.



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



SOUTH MOUNTAIN AVENUE
TYPICAL CROSS SECTION
LOOKING EAST
N.T.S.

SITE PLAN NOTES

1. DEVELOPMENT AND USE OF THIS SITE WILL CONFORM WITH ALL APPLICABLE CODES AND ORDINANCES.
2. ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND.
3. 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'.
4. STRUCTURES AND LANDSCAPING WITHIN A TRIANGLE MEASURING 33'X33' ALONG THE PROPERTY LINES WILL BE MAINTAINED AT A MAXIMUM HEIGHT OF 3'.
5. 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. 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.
6. OWNERS OF THE PROPERTY ADJACENT TO THE PUBLIC RIGHTS-OF-WAY WILL HAVE THE RESPONSIBILITY FOR MAINTAINING ALL LANDSCAPING LOCATED WITHIN THE RIGHTS-OF-WAY, IN ACCORDANCE WITH APPROVED PLANS.
7. ALL ROOFTOP EQUIPMENT AND SATELLITE DISHES SHALL BE SCREENED TO THE HEIGHT OF THE TALLEST EQUIPMENT.
8. 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.
9. BARBED, RAZOR OR CONCERTINA WIRE (OR SIMILLER) SHALL NOT BE USED ON THIS SITE WHERE VISIBLE FROM PUBLIC STREETS AND ADJACENT TO RESIDENTIAL AREAS.
10. ALL SIGNAGE REQUIRES SEPARATE REVIEWS, APPROVALS, AND PERMITS. NO SIGNS ARE APPROVED PER THIS PLAN.

PROJECT DESCRIPTION

SOUTH MOUNTAIN 50 IS A PROPOSED 156 LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION.

SITE ADDRESS

1835 W. SOUTH MOUNTAIN AVENUE
PHOENIX, AZ. 85041

BENCHMARK

CITY OF PHOENIX MONUMENT: 2INCH IRON PIPE WITH REBAR IN CENTER, LOCATED AT THE INTERSECTION OF 7TH AVENUE AND SOUTH MOUNTAIN AVENUE
ELEVATION = 1190.72 (NGVD-29, CITY OF PHOENIX DATUM)

BASIS OF BEARING

THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 6, T.1S., R.3E., G.&S.R.B.&M. WHICH BEARING N 89° 43' 11" WEST, AS SHOWN ON THE FINAL PLAT OF "THE COMMONS AT SOUTH MOUNTAIN" RECORDED IN BOOK 905, PAGE 34, MARICOPA COUNTY RECORDS.

FLOODPLAIN DESIGNATION

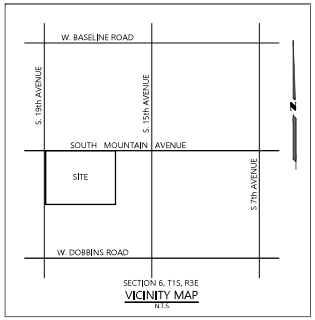
THE SUBJECT PROPERTY IS LOCATED WITHIN SHADED ZONE "X" DEFINED AS "AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREA PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD, PER FIRM MAP NO. 04013C2680L, DATED OCTOBER 16, 2013.

PROPOSED DEVELOPMENT

THIS PROPOSAL INTENDS TO SUBDIVIDE THE 49.5 ACRE PROPERTY INTO 156 SINGLE FAMILY LOTS. THESE LOTS WILL BE DEVELOPED UNDER R1-10 ZONING STANDARDS. PRD DEVELOPMENT STANDARDS.

SERVICE PROVIDERS

WATER	CITY OF PHOENIX
SEWER	CITY OF PHOENIX
POLICE	CITY OF PHOENIX
FIRE	CITY OF PHOENIX
ELECTRIC	SALT RIVER PROJECT



APPLICANT

NEWCASTLE DEVELOPMENT, LLC
6628 E. BASELINE ROAD
SUITE 102
MESA, AZ. 85206

ENGINEER

BFH GROUP
3707 EAST SOUTHERN AVENUE
MESA, ARIZONA, 85206
PHONE: 480.734.1446
CONTACT: DAVID M. BOHN

SITE SUMMARY

GROSS AREA	=	2,162,702 SQ. FT. OR 49.65 ACRES
NET AREA	=	2,035,910 SQ. FT. OR 46.74 ACRES
EXISTING ZONING	=	S-1
PROPOSED ZONING	=	R1-10
PARCEL NUMBERS	=	300-49-003C, -004, -005
NUMBER OF LOTS	=	156
LOTS AREA	=	1,274,760 SQ. FT. (TOTAL)
PROPOSED DENSITY	=	3.14 DWELLING UNITS PER ACRE
LOT SALES PROPOSED	=	YES
COMMON AREA	=	356,980 SQ. FT. (TOTAL) OR 16.5% (GROSS AREA)
RETENTION	=	ABOVE GROUND BASINS

SITE LEGEND

- BOUNDARY
- CENTERLINE
- RIGHT-OF-WAY
- LOT LINE
- EASEMENT

CITY OF PHOENIX
NOV 24 2021
Planning & Development Department

NOT APPROVED FOR CONSTRUCTION

BFH Group
3707 EAST SOUTHERN AVENUE
MESA, ARIZONA, 85206
PHONE: 480.734.1446

REVISIONS:

PRELIMINARY SITE PLAN
PROJECT: KIMURA GARDENS
CITY OF PHOENIX, AZ 85041

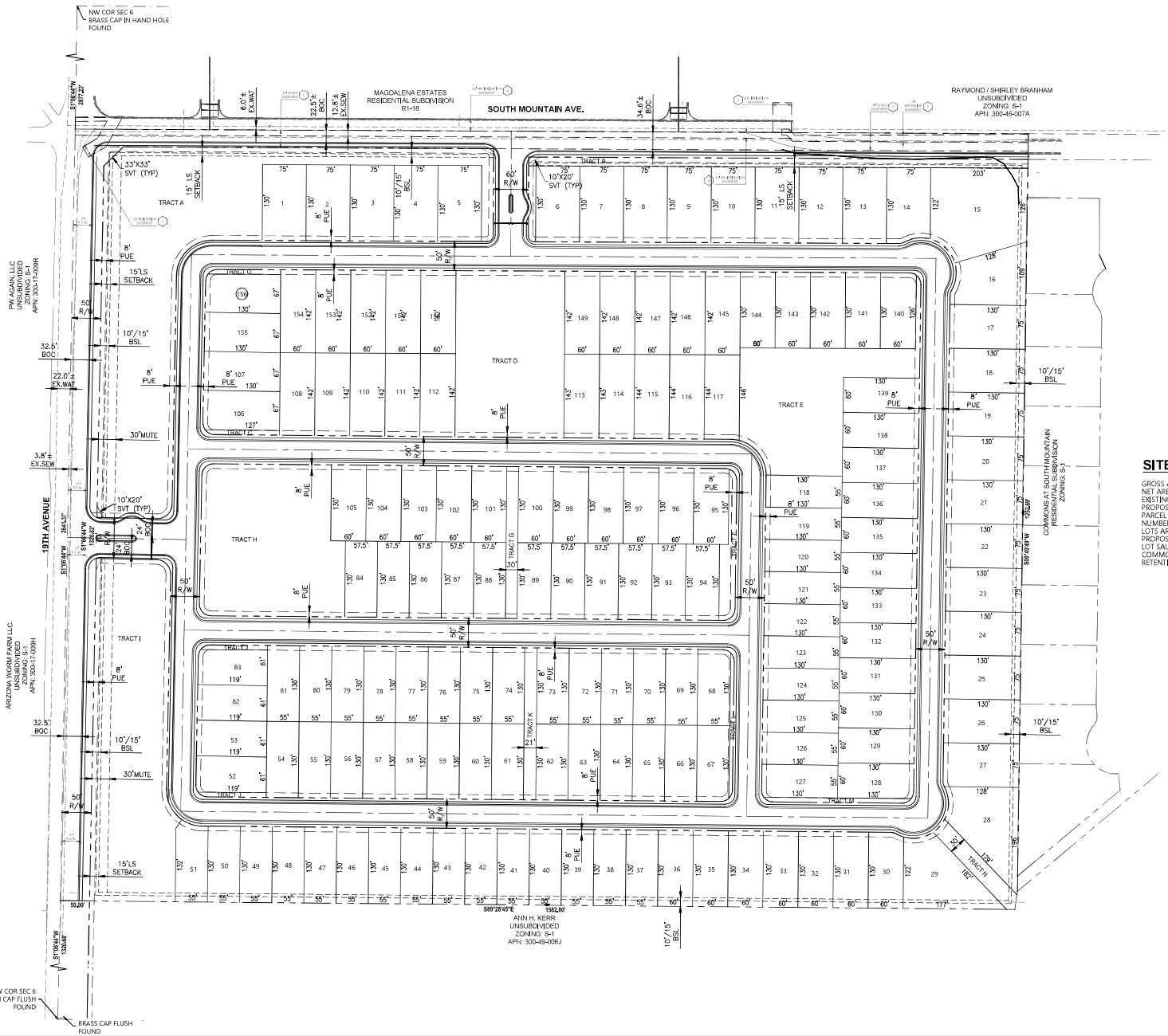
Job No.: -
Drawn By: PJ
Checked: DB

ALL TWO WORKING DAYS BEFORE YOU DIG (602) 263-1100 1-800-STAKE-IT (OUTSIDE MARICOPA COUNTY)

SOUTH MOUNTAIN PROFESSIONAL ENGINEERS CERTIFICATE 46533 DAVID M. BOHN ARIZONA U.S.A. EXPIRES 09/30/2020

JOB NO. 00202010130
Prelim Site Plan
SHEET NO. 1
1 OF 2

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CITY OF PHOENIX

NOV 24 2021

Planning & Development Department

SITE SUMMARY

GROSS AREA	=	2,162,702 SQ. FT. OR 49.65 ACRES
NET AREA	=	2,035,910 SQ. FT. OR 46.74 ACRES
EXISTING ZONING	=	S-1
PROPOSED ZONING	=	R1-10
PARCEL NUMBERS	=	300-49-003C, -004, -005
NUMBER OF LOTS	=	156
LOTS AREA	=	1,274,760 SQ. FT. (TOTAL)
PROPOSED DENSITY	=	3.14 DWELLING UNITS PER ACRE
LOT SALES PROPOSED	=	YES
COMMON AREA	=	356,980 SQ. FT. (TOTAL) OR 16.5% (GROSS AREA)
RETENTION	=	ABOVE GROUND BASINS

scale 1" = 80' (80 0 80 160 feet)

NOT APPROVED FOR CONSTRUCTION

BFH Group
3707 EAST SOUTHERN AVENUE
MESA, ARIZONA, 85206
PHONE: 480.734.1446

REVISIONS:

PRELIMINARY SITE PLAN

PROJECT: KIMURA GARDENS
CITY OF PHOENIX, AZ 85041

Job No.: -
Drawn By: PJ
Checked: DB

CALL TWO WORKING DAYS (602) 263-1100 1-800-STAKE-IT (OUTSIDE MARICOPA COUNTY)

REGISTERED PROFESSIONAL ENGINEER
CERTIFICATE NUMBER
48533
DAVID A. BOHN
ARIZONA U.S.A.
EXPIRES 09/30/2023

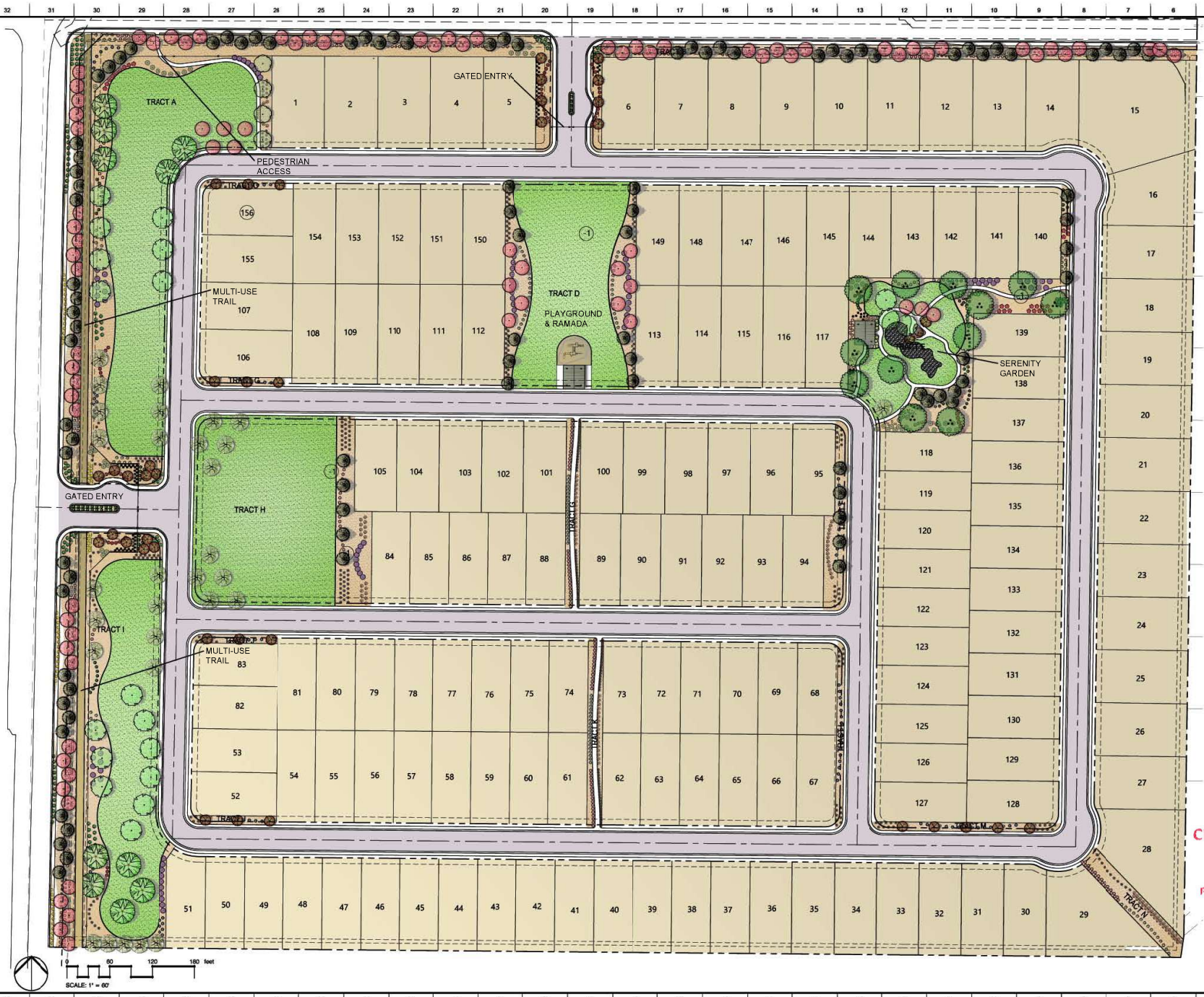
JOB NO. 00202010130

Prelim Site Plan

SHEET NO. 2

2 OF 2

D:\ENGR\2021\002021100\KIMURA GARDENS\DWG\CIVIL\PRELIMINARY\CONCEPTUAL\CONTEXT PLAN\Prelim SP01 101321.dwg, 11/23/2021 8:22:08 AM



CITY OF PHOENIX
NOV 24 2021
Planning & Development Department

everett landscape architecture

KIMURA GARDENS
PHOENIX, ARIZONA

DATE
9/14/2021

21015

Sheet Title:
LANDSCAPE PLAN

Sheet:

Racelle Escolar

From: Gina Johnson <bakergmb@gmail.com>
Sent: Tuesday, November 30, 2021 3:30 PM
To: PDD Planning Commission; Southmountainand19th@gmail.com
Subject: 12/2/21 comment for Item 4. GPA-SM-2-21-8

Hello,
I am a resident of Magdalena Estates, adjacent to the general plan amendment consideration for Kimura Gardens at 19th Ave and South Mountain Ave, Item 4: GPA-SM-2-21-8 (Item 3: Companion Case Z-31-21-8) . I would like to appeal to the committee to ensure the general plan submitted aligns to the City plan of Rio Montana recommendations and continue this request by sending back to the South Mountain Village Planning Committee for further review, community discussion, and planning.

Rio Montana plan states the closer to South Mountain the lesser the density. I believe this property should be zoned as R1-18 to support 2.34 (with bonus) units/acre rather than the proposed R1-10 that would put 3.25 units/acre. This is too dense for this rural area. I understand the growth of Phoenix, but we must maintain quality of rural life in one of the few places in Phoenix it's still found while maintaining mountain view property values. The developer has much to do still to support the Rio Montana plan and enhance the South Mountain area, not continue to reduce it.

Additionally, the staff for the South Mountain Village (SMV) Planning Committee handled this process poorly by trying to rush through the GPA and the rezoning at the same time with insufficient time for review by the SMV Planning Committee and the Public. Not allowing the neighborhood to provide input on the GPA. Thankfully, the committee recognized this poor management and continued the zoning process.

It is not often I would submit my comment but I care for this community, the resale values. and continued uplifting and improvement of South Phoenix areas. Please consider not approving this General Amendment Plan and send it back to the South Mountain Village Planning Committee. As of 11/29/21 the developer didn't have an amended plan to share with the community or to present to you. I think they need more time to complete their plan and I ask that you, at minimum, continue this request for the developer to submit an adjusted plan.

Thank you,
Gina Johnson
Magdalena Estates
1816 W. Magdalena Lane Phoenix, AZ 85041
bakergmb@gmail.com

Racelle Escolar

From: Robin Shared <steven.rebekah.hz@gmail.com>
Sent: Tuesday, November 30, 2021 12:17 PM
To: Racelle Escolar; Enrique A Bojorquez-Gaxiola; PDD Planning Commission; Council District 8 PCC; Adriana Garcia Maximiliano
Subject: community comments re development case numbers: Z-31-21 and GPA-SM-2-21

Hello,

I am writing to express my concerns about the proposed Kimura Gardens development at the intersection of South Mountain Lane and 19th Avenue. Some of these concerns are specific to this development and its developer (Providence Homes), while others, especially traffic and flood management, relate to both Kimura Gardens and to the area as a whole including other developments in planning stages.

For the reasons below, I'm requesting more time for the community, the city and the developer to work together to find solutions to the concerns about this development and the way the approvals process has functioned thus far.

Providence Homes proposes to build a development on about 49 acres with at least 160 units at the SE corner of 19th Ave and South Mountain Lane.

The busiest corner of South Mountain lane is the northeast corner where Magdalena Estates development has 26 houses. Immediately east of the proposed location for Kimura Gardens is another Providence Homes development, The Commons, which has 35-40 homes. The northwest corner has 3 houses and the southwest corner is open land.

There is no way that 160 units in the middle of this community will not have a serious impact that goes far beyond obliterating the very real neighborhood character that Providence Homes claims to respect.

South Mountain Lane is a very busy stretch of multipurpose road that includes traffic from pedestrians, bicycles and equestrians in addition to a wide variety of vehicle traffic from Mini Coopers to large scale farm equipment.

Improvements are needed to make this area safe for the wide variety of foot, bike, horse and vehicle traffic that are already exists. Simply widening the road will not be sufficient, as functional wide paths are needed to safely separate the volume of diverse traffic the area already gets.

Adding at least 160 vehicles to this area will be an immediate and serious unsafe impact on everyone who uses this street.

Flooding off of South Mountain is an ongoing issue in the area as a whole and especially at the intersection of 19th Ave and South Mountain Lane. This intersection is not safe to drive through in any amount of rain, which at times will flood not only the intersection but much of 19th Ave north of the intersection.

Replacing what is currently a highly absorbant cotton field on the southeast with houses, streets and driveways will significantly impact water movement in this area which must be considered and safely managed to protect drivers on 19th Ave as well as the existing properties that surround the area.

This is especially a concern given that the developer representative claimed in the November 9 meeting that he doesn't have up to date flood maps because he hasn't been "given them." (This despite multiple attempts to rush the process).

We absolutely do not want a development going in near us that threatens our safety in multiple ways, as Kimura Gardens currently does by proposing to more than double the drivers at this intersection without

making plans for traffic or flooding, let alone showing any awareness or respect for the community's semi-rural zoning and lifestyles.

The developer has also told multiple people in the community that Providence Homes will show their respect for the community by committing to single story buildings, to following the Rio Montana plans and to minimal zoning increases - yet in meetings, he proposes increasing units per lot to 3.5 (instead of 2) and showed multistory buildings with garage prominent designs. The developer's representative also responded with noticeable aggravation to questions about the multiple significant deviations from he Rio Montana plans they claim to be following and to questions about the discrepancies between the several different lot layouts shown and the inconsistent representation of green areas which make evaluating the plans for lot size, unit size and responsible water management impossible.

In addition to my concerns about Kimura Gardens and about large scale development in the South Mountain Village area, I have serious concerns about the procedures and transparency of the Nov 9 zoning meeting.

In this meeting, the developer took intellectual property from community members and incorporated it into his presentation with the aid of the staff who set up the meeting and shared her materials without her knowledge or consent, while in turn the developer's presentation materials were not made available to other commenters by the staff.

This is highly concerning - as are the multiple procedural irregularities noted by board members throughout the meeting and especially during this presentation. Procedural concerns included (but were not limited to) the developer's presentation being submitted late, the board members not having a chance to review the material, the developer rushing approval process steps and trying to piggyback additional approvals into the process and other breaks with procedure for the process and for the meeting itself.

The impression given to the audience was that participation in the approval process is not equal or transparent and that many of the board members are willing to skip following procedure and not listen to the board members who are concerned about following the rules laid out for equity and transparency.

Best,
Rebekah

From:	Erin Hegedus
To:	PDD Planning Commission; Adriana Garcia Maximiliano; Council District 8 PCC; Council District 3 PCC; Enrique A Bojorquez-Gaxiola
Subject:	Z-31-21-8
Date:	Tuesday, November 30, 2021 5:20:38 PM

I am writing to address my concerns with the referenced plan as it does not conform to the Rio Montana Plan that was purposely thought out to maintain the integrity of this unique are in Phoenix. There are few areas of this density and agriculture presence in the valley and once developed will never return.

Among my concerns are the following:

- Alleys for rear entry garages (indicated in the Rio Montana Plan for R1-10 and lower density)
- Side entry garages if not all areas can have alleys
- Any garages left that are font-facing have a minimum 10' setback to the front of the house. All of the facade examples have front facing garages that are or are nearly 50% of the front of the house. This is a no-no.
- Actual porches on all home designs. This is in the stipulations by the city planning staff but not reflected in the housing design examples. That said, the staff does not recommend adherence to those designs.
- Staggered lot sizes side by side. The RM Plan specifically calls for lot widths to vary in an alternating pattern, for example: 55ft, 65ft, 55ft, 65ft, etc. As laid out, the current site design groups the same sized lots together.
- Commitment to drought tolerant/native trees on properties and not just in the open spaces to mitigate heat island effect.
- Shaded sidewalks within the development and not just on the perimeter landscaping
- Preserve irrigation (this was a subject requested/asked about by one of the committee members)
- LEED building practices

Additionally, and most importantly to me, the infrastructure does not support the current traffic, let alone the additional traffic that the request for increased density will bring to the area.

I ask for you to look at this request with the eyes that believe in maintaining unique neighborhoods in Phoenix.

Thank you.

Erin Hegedus, CMRP
8630 South 19th Avenue
Phoenix, AZ 85041

From:	Erin Hegedus
To:	Enrique A Bojorquez-Gaxiola; Council District 8 PCC
Cc:	bassinby@msn.com; erintkhegedos@hotmail.com
Subject:	GPA-SM-2-21-8 (Companion Case Z-31-21-8):
Date:	Sunday, November 7, 2021 4:26:47 PM

I am writing to request to speak to the referenced rezoning request by Providence Homes and Newcastle Development.

I want to state in advance that although I would rather maintain the last of the agriculture that is left in Phoenix, I know that ultimately the land will be developed.
I ask for consideration of the following:

- An explanation of how the already exhausted infrastructure of South Mountain Avenue, Dobbins Road and 19th Avenue would tolerate the approximately 300 + more vehicles this development will create.
- Currently, Dobbins Road, South Mountain Avenue and 19th Avenue are only two lane roads surrounded by irrigation canals … In some areas of South Mountain Avenue, this road reduces to one lane.

I am aware that the developer will present to the Council that there is a shortage of housing,, however, there are hundreds of developments underway in this area code which would offset that concern.

Additionally, I ask to respect the Rio Montana Plan that was strategically planned to maintain the integrity of this neighborhood.

Higher density housing and lower cost housing are a conflict to that plan and would negatively affect this neighborhood and any additional interest in retailers that might consider this area.

Respectfully,

Erin Hegedus, CMRP
8630 South 19th Avenue
Phoenix, AZ 85016

Sent from Mail [go.microsoft.com] for Windows

From:	H. Jewel Clark
To:	PDD Planning Commission
Cc:	Racelle Escolar; Enrique A Bojorquez-Gaxiola
Subject:	Comments for Item #4, Case GPA-SM-2-21-8 - City of Phoenix Planning Commission meeting- Dec. 2, 2021
Date:	Tuesday, November 30, 2021 5:44:03 PM

Agenda item #4, Case GPA-SM-2-21-8

To Whom It May Concern,
I am writing to oppose the approval, at this meeting, of case GPA-SM-2-21-8, which changes the zoning of 49.5 acres on the southeast corner of 19th Ave. and West South Mountain Ave. from S-1 to R1-10 and request that it be returned to the South Mountain Village Planning Committee for further discussion in conjunction with its companion case Z-31-21-8.

My husband and I have our home at 2020 W. South Mountain Ave., and we have owned that property since Nov. 2009. We purchased in the area for the larger lots, custom homes, and equestrian/rural character of the South Mountain area. While we are not opposed to development, we and our neighbors strongly believe that the design and planning guidelines of the 2015 Phoenix General Plan and the Rio Montana Plan be adhered to- just as we have adhered to them- when any new development is proposed. That plan, and the future certainty that it provided, factored highly in our decision to buy our property here.

Mr. John Poulsen of Providence Homes has requested a zoning density of R1-10 that is flatly incompatible with the neighborhood character of the surrounding area and in an area with a known history of street flooding and undeveloped infrastructure. That said, Mr. Poulsen does seem to be working in good faith with the neighbors to try and find compromise, and we welcome that. However, there is much that is still up in the air. Mr. Poulsen and Ben Tate from Withey Morris met for the first time since the SMVPC meeting just this Monday, Nov. 28, with the neighbors to hear our concerns and our ideas. We felt the conversation was productive, but they have not had time to draft any changes to the site plan to present or have additional dialog with the neighbors as of this letter.

The companion case Z-31-21-8 was not approved by the South Mountain Village Planning Committee because there was a lack of adherence to the Rio Montana Plan, many neighbors were opposed- citing very real concerns about neighborhood character, home values, and inadequate infrastructure for traffic and flooding- and that the city planning staff did not submit their documents until the Friday before the meeting, providing inadequate time for the public and the committee to thoughtfully review the proposal.

I respectfully request that GPA-SM-2-21-8 remain with its companion case Z-31-21-8 at the South Mountain Village Planning Committee in the approval process and only move forward once Mr. Poulsen and the neighbors have had more time to work together and resolve the development concerns therein.

Jewel Clark
2020 West South Mountain Ave.
Phoenix, AZ 85041
480.664.9436
hjewelclark@fastmail.com

--
H. Jewel Clark
hjewelclark@fastmail.com

From: Miguel Rubio
To: Enrique A Bojorquez-Gaxiola
Subject: RE: Kimura gardens opposition lette
Date: Tuesday, November 9, 2021 2:18:52 PM
Attachments: image001.png

Hello Enrique once again..

We are opposed to this project ,because it will affect us pretty bad, as we have a hard time getting out of our property on 8020 s 20th ave , every time we get on the intersection of latona and 19th ave , it takes forever for us to have access and having several hundred of vehicles is going to make it worse.

That reason the we bough our property is because we like the rural life, and having all that people living here next to us is going to affect me and my family.

The value on our property is going to decrease and is not what I want for me and my family.

We figth it over this with mister ward on the opposite corner, and this is going to be the same we are a really good community , we stay together and this is what we want for our kids and grandkids.

This is one of the last places the still have the opportunity to have this privacy and this people is trying to take it from us.

We are not opposed of them building we just wanted to preserve large lots and low density.

I am pretty sure that you guys would do the same for your family.

Thank you very much and have a great day.

MIGUEL RUBIO

RB CONTRACTING LLC
8020 S 2OTH AVE
PHX,AZ 85041
(602) 366 9334

From: Enrique A Bojorquez-Gaxiola
Sent: Tuesday, November 9, 2021 8:15 AM
To: Miguel Rubio
Subject: RE: Kimura gardens

Good morning Miguel,

How are you? You may email me your opposition letter in regards to this project (Case Nos. GPA-SM-

2-21-8 and Z-31-21-8).

Let me know if questions arise.

Thank you!

Enrique Bojórquez Gaxiola
Planner III
City of Phoenix
Planning & Development Department
Long Range Planning Division
200 W. Washington Street
Phoenix, AZ 85003
Office: (602) 262-6949

PLANNING & DEVELOPMENT
PRESERVE
SHAPE
BUILD

I am currently working remotely on a rotational schedule, but will be checking voicemails multiple times per day. Please feel free to leave me a voice message or email me for a more timely response. Thank you.

From: Miguel Rubio <Rb_contracting1lc@outlook.com>
Sent: Monday, November 8, 2021 9:10 PM
To: Enrique A Bojorquez-Gaxiola <enrique.bojorquez-gaxiola@phoenix.gov>
Subject: Kimura gardens

Hello Enrique, this is MIGUEL RUBIO.

I would like to know where can I send my opposition letter to..?

Rb contracting llc
8020 s 20th Ave
Phoenix az, 85041
602 366 9334

Racelle Escolar

From: JoAnne Jensen <joannejensen@cox.net>
Sent: Tuesday, November 30, 2021 5:48 PM
To: PDD Planning Commission
Subject: Z-31-21-8 and GPA-SM-2-21-8

Hello and thank you for taking my comments.

We live in Magdalena Estates, a group of homes immediately north of the planned Kimura Gardens development.

First – thanks to the Poulson group for engaging in ongoing conversations with us and our neighbors to best work out how we all can be comfortable with inevitable change. They have been very attentive and have been patiently willing to modify their plans.

In fact, a sizable group of neighbors met with Mr. Poulson and Mr. Tate on the afternoon of Monday (11/29) at the planned Kimura Gardens site to review our collective wants and needs. And, as of this writing, a telephonic conference call is being scheduled for later this week.

Which brings me to my second, and main, point. The review process for these two requests (which go hand in hand) is so compressed that it is ahead of the ongoing evolution of the plan. In other words, there has been no time to formalize the modifications. This is not the fault of the Planning Commission or of any governmental organization, it is just a timing issue. And timing issues can easily be remedied by taking a time out, which by no means is the same as denying a request.

This is my request – can we please return to the Village Planning level with both requests and take a breath before any further formal action is taken? We need this to give us a chance to help prepare the best possible development plan which will be acceptable to the largest number of people and to present a concrete proposal rather than an ever changing and amorphous concept. Procedurally and administratively, it makes most sense is these two requests are kept in synch. Just as it makes the most sense for all the details to be in place before the concept it approved.

There is no one with whom I have spoken who opposes development, if the density and home sizes / construction are consonant with The Commons and Magdalena Estates. We know growth and change are coming and, when properly done, will bring benefits for everyone. The willingness of Mr. Poulson and Mr. Tate to sit and discuss and listen is impressive and I am confident that by encouraging the design guidelines from the Rio Montana Plan for this area, the Poulson group will find support. We purchased our home because of the demographics, the lot sizes, the quality of construction, and the quiet rural nature of Magdalena Estates. Our goal is to continue that quality of life.

Thank you for considering my remarks. Based on comments from other neighbors, I can safely say that this represents the perspectives of the majority of our community.

From:	Steven Higginbotham
To:	Racelle Escolar; Enrique A Bojorquez-Gaxiola; PDD Planning Commission; Council District 8 PCC; Adriana Garcia Maximiliano
Subject:	community comments re development case numbers: Z-31-21 and GPA-SM-2-21
Date:	Tuesday, November 30, 2021 5:13:51 PM

I'm commenting as a community resident near where Kimura Gardens will be built, to ask that the approval process be slowed.

There are several concerns about this development that have yet to be answered, including safety issues for current residents and future residents. The infrastructure in this area is simply not prepared for 160 units and the estimated 300+ more drivers that would accompany them. The intersection at South Mountain Lane and 19th Avenue is already overwhelmed with just two neighborhoods under 40 units each, as is South Mountain Lane, which is barely a lane and a half.

Our community supports development that follows zoning R1-18 and layouts like that in the Rio Montana Plan.

I believe more time would allow the community, the city and the developer to work together to find solutions to the concerns.

Sincerely,
Steven Higginbotham

--
Steven Higginbotham

From:	Dan Martin
To:	Enrique A Bojorquez-Gaxiola
Subject:	Fwd: Application to amend zoning ordinance #Z-31-21
Date:	Tuesday, November 9, 2021 9:12:50 PM

Enrique,

I would like to concur with my neighbor that a request for a space between the neighborhoods would be welcomed. One of the main reasons that I purchased a home in The Commons community was that the homes did not face another home to their rear. This is why I paid $100K more than my previous home situated in Laveen. Would it be possible to change the road frontage setback to the West on 19th Avenue from 150 feet to 140 feet in order to provide a 10 foot space with a walking path between the two neighborhoods? This essentially would not change the design of the Kumura Gardens but shift it 10 feet to the West.

Sincerely,
Dan Martin
8612 S 16th Dr.
Phoenix, AZ 85041
513-305-0258

---------- Forwarded message ---------
From: **larry Brown** <topbrown10@gmail.com>
Date: Fri, Oct 29, 2021 at 7:48 PM
Subject: Application to amend zoning ordinance #Z-31-21
To: <enrique.bojorquez-gaxiola@phoenix.gov>

Greetings sir,
I am writing again to request a concern about this application for amendment. If the amendment is ratified, I'm concerned that it will negatively impact the quality of life for the residents on the Western perimeter of The Commons at South Mountain neighborhood which is adjacent to this 49.5 acres parcel. By authorizing 2-3.5 du/ac this will result in more than one home being built directly behind each of the homes on this property boundary.

We respectfully request that the zoning require a green space between the 2 neighborhoods since the number of dwellings per acre would result in multiple homes directly behind each of our homes on the western perimeter of our community.
We believe a green space between our neighborhood and the new construction will result in a mutual benefit for all parties involved.

Respectfully,

Larry and Hope Brown
8796 S. 16th Drive
Phoenix, Arizona 85041
(520)313-6339
topbrown10@gmail.com
--
Respectfully,

Larry A. Brown
(520) 313-6339

From:	JoAnne Jensen
To:	Enrique A Bojorquez-Gaxiola
Subject:	Rezoning Application (Z-31-21) and Minor General Plan Amendment (GPA-SM-2-21), Kimura Gardens Development
Date:	Tuesday, November 9, 2021 11:31:27 AM

Hello and good morning -

Thank you for accepting my comments.

The Providence group has been very active in its outreach to neighbors during the planning to develop the property immediately south of Magdalena Estates, where we live - this is greatly appreciated. And, to be fair, they have listened and been responsive to the majority of concerns.

Although I am a member of Magdalena Estate's HOA Board, I have no authority to speak on behalf of the community or our Board, only for our lot 13.

We have several points to make:

Everyone knows that there will be development. We are lucky to have enjoyed our relative isolation for as long as we have. So, the goal is to maintain the property values and quality of life for those who already live here.

The configuration of Kimura Gardens will set an important precedent for the future of this area. The originally presented number of homes was 178 and has been reduced to 150. Still, that is very dense, and the effect upon traffic, light, and noise is going to be significant. Frankly, I would prefer that the density be the same as Magdalena Estates and The Commons to assure continuity within this area.

A discussion point during the planning process has been whether the homes will be one or two stories. I understand the economic ramifications of all single story construction. But the quality of life consequences are also important - more stories means more people, more cars, more light, more noise - all of which mitigate against maintaining the current quiet that we who already live here enjoy.

No one walks away completely satisfied. But, please consider that if all the homes in Kimura Gardens were one story, this would set a good precedent for the future of this area, it would equalize the property values among the three developments (The Commons, Magdalena Estates, and Kimura Gardens), it would create a relatively more tranquil and safe environment.

In sum - if a condition of zoning approval is that all homes are single story, we in lot 13 endorse the other aspects of the development plan as we understand them.

Thank you.

JoAnne Jensen (480-213-6499)

Steven D. Smith
8303 S. 17th Drive
Phoenix AZ 85041

South Mountain
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-31-21-8

Date of VPC Meeting	December 14, 2021 November 9, 2021 (Continued)
Request From	S-1
Request To	R1-10
Proposed Use	Single-family residential community
Location	Southeast corner of 19th Avenue and South Mountain Avenue
VPC Recommendation	Approval, per the staff recommendation in Addendum A with a modification to Stipulation No. 9.
VPC Vote	**7-3-1** Motion passed; Members Aldama, Brownell, Busching, Shepard, Viera, Marchuk and Daniels in favor; Mr. Brooks, Coleman and Holmerud in dissent. Ms. Hare abstained.

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Seven members of the public registered to speak on this item. Four members registered in opposition, one neutral, and two in support.

Enrique Bojórquez, staff, introduced himself and provided a presentation on rezoning case Z-31-21-8. This case was continued from the November 9, 2021 South Mountain Village Planning Committee meeting, while the General Plan Amendment case was heard by Planning Commission earlier this month. He discussed the existing zoning in the area and requested zoning for the site. The previous and current conceptual site plans were discussed, and an overview of Addendum A staff report was provided. He concluded the presentation by discussing the stipulation changes included in Addendum A of the staff report.

Adam Baugh, with Withey Morris PLC, introduced himself as the applicant and provided an overview of the request. He discussed the location of the site, changes made to the conceptual site plan including a decrease in lots and minor adjustments to the layout. Previous versions of the site plan were compared to the current version proposed, and he requested approval of the case given these changes and community engagement.

Kay Shepard asked for clarification on landscape maintenance responsibilities. **Mr. Baugh** responded that the future homeowner's association (HOA) would be responsible for the landscape maintenance.

Ms. Shepard discussed The Pines at South Mountain community not maintaining their landscaping within private open space tracts. **Mr. Baugh** responded that the HOA would be maintaining the landscaping and added that there is a stipulation that addressed low-water use plants. He discussed why flood irrigation was not incorporated in the development.

Marcia Busching discussed a modification to Stipulation No. 9 regarding the removal of pedestrian gates.

Chairwoman Daniels asked for additional questions from the committee. She then opened the floor for public comments on this case.

Jewel Clark, member of the public, lives in the area and would like to continue the dialogue with the applicant. She provided clarification on a statement made and asks that this case be continued due to a pending meeting between the community, developer and Council District 8 office on December 15, 2021.

Mike Josic, member of the public, introduced himself and agrees with Ms. Clark. He stated that the public outreach on this project was not very good. The developer should not have set up the previous meeting on the site, but rather at another location. He would support a continuance on this case.

Dean Chiarelli, member of the public, introduced himself and stated that this area is in a food desert. Roads are not able to handle this development, which is not consistent with the current General Plan and Food Action Plan. We need to promote agriculture here as the area is beautiful, and this community is become a bedroom community.

Dianne Olivo, member of the public, introduced herself and provided a background of the area. Agriculture is precious and this project is not consistent with policy plans. She would like to know why each member supports this project when they vote. There is a toxic property south of this site that impacts existing residents, and this has not been discussed.

Patti Trites, member of the public, introduced herself and stated that she is concerned with access being provided along 19th Avenue due to an existing trailhead south of the site. This area is unique and discussed planned Maricopa County Flood Control District projects in the area along 19th Avenue. She would request that there be no entrance along 19th Avenue for this project.

Troy Gamm, member of the public, introduced himself and stated that he lives in The Commons community east of the project. He stated that this is one of the

nicest communities he has ever lived in. The builder is responsible, and he supports the project.

Penny Gamm, member of the public, introduced herself and stated that this is a nice development proposed in a former cotton farm that is used as a dumping ground. People shoot guns on this property as well. Eventually this site will be developed, and the builder is responsible. She is concerned with the continuance of this case being requested.

Chairwoman Daniels invited the applicant to provide a response.

Mr. Baugh stated that a trail is proposed for this development, in addition to disclosure of surrounding uses to future owners. He seeks approval of this case.

Ms. Busching asked Ms. Clark on what she hoped to accomplish by seeking a continuance. **Ms. Clark** stated that density is an issue, and she wants to balance this with the character of the area, traffic and drainage issues. She discussed the latest version of the site plan and stated that this version was updated before the applicant's meeting with the neighborhood.

Mr. Baugh responded that staff had requested an updated site plan for Addendum A staff report. Some of the community members did not respond to their offer to address the number of lots. The current site plan reduces the traffic, drainage and other issues.

Greg Brownell joined the meeting at 7:00pm, bringing the quorum to 11 members.

Vice Chair Marchuk stated that he finds interesting the Council District 8 office meeting that is scheduled.

George Brooks feels that a continuance is appropriate given the pending Council District 8 office meeting.

Ms. Shepard discussed the pending Council District 8 office meeting.

Greg Brownell stated that the pending Council District 8 office meeting is pointless and discussed the efforts by the applicant in addition to benefits of this project.

Edward Aldama discussed the applicant's efforts and stated that the area is changing. He wants to see positive change happen and added that the developer has made changes to their plan.

Emma Viera agrees with deciding now as the Council District 8 office meeting will not impact the decision made today.

Ashley Hare stated that change is not inevitable, and we can still have beautiful open spaces like The Farm at South Mountain.

Chairwoman Daniels stated that this project has been active for over a year and wonders about the street maintenance responsibility. **Mr. Baugh** responded that the landscaping in the right-of-way would be HOA maintained.

Chairwoman Daniels stated that grocery stores look at the number of homes and household incomes in an area before siting a new store. The community has changed over time. **Dr. Brooks** disagrees with Chairwoman Daniels and stated that change is up to decision makers.

Chairwoman Daniels requested for additional discussion or a motion.

MOTION:

Ms. Shepard motioned to approve case Z-31-21-8 per the staff recommendation presented in Addendum A of the staff report with a modification to Stipulation No. 9 (a).6 to remove refences to pedestrian gates. **Ms. Busching** seconded the motion to approve.

VOTE:
7-3-1, motion passed; Members Aldama, Brownell, Busching, Shepard, Viera, Marchuk and Daniels in favor; Mr. Brooks, Coleman and Holmerud in dissent. Ms. Hare abstained.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

The South Mountain Village Planning Committee recommend approval of the case per the staff recommendation in Addendum A with a modification to Stipulation No. 9 to remove references to pedestrian gates.

The following stipulations incorporate the changes approved by the South Mountain Village Planning Committee on December 14, 2021 with modifications in bold text:

1. The development shall be in general conformance with the site plan date stamped ~~November 2, 2021~~ NOVEMBER 24, 2021, as modified by the following stipulations and approved by the Planning and Development Department with specific regard to the following:

    a. Lots 1 through 28 shall be a minimum of 75 feet in width.

    b. All other lots shall be a minimum of 55 feet in width.

c. Portions of lots 28 and 29 may be modified to accommodate any required canal frontage standards.

d. The location of the open space areas.

e. A minimum of ~~17~~ 16 percent of the gross site area shall be provided as open space.

f. A minimum building setback of 150 feet, exclusive of fencing or entry features, shall be provided along the western perimeter property line along 19th Avenue.

2. The required landscape setbacks shall be planted with minimum 50-percent 2-inch caliper and 50-percent 3-inch caliper large canopy drought-tolerant trees, 20 feet on center or in equivalent groupings, with five 5-gallon shrubs per tree, as approved by the Planning and Development Department.

3. The maximum building height shall be limited to ~~two stories and 30 feet, except that lots 1 through 53, 82, 83, 108, 109, 159 and 160 as depicted on the site plan date stamped November 2, 2021, shall be limited to~~ one story and ~~20~~ 22 feet.

4. All lots within the development shall be subject to Single-Family Design Review, including 75-foot wide lots, as approved by the Planning and Development Department.

5. Building elevations shall be developed to the following standards, as approved by the Planning and Development Department:

   a. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco, or other materials to provide a decorative and aesthetic treatment.

   b. A minimum of 50 percent of the elevations for each floor plan shall provide a covered front porch in the front yard with a minimum of 60 square feet in area at a depth of at least six feet. No porch shall terminate within the plane of a door or window.

   c. Pitched roofs shall be provided on all building elevations.

6. The development shall be in general conformance with the fencing exhibit (landscape plan) and elevations date stamped October 14, 2021, as modified by the following stipulations and approved by the Planning and Development Department.

a. Full open view fencing shall be utilized where an open space tract is adjacent to a canal.

b. Where view fencing is required by the Zoning Ordinance, a combination of solid masonry wall and view fencing may be utilized. The solid portion of the wall shall not exceed 4 feet in height.

c. Perimeter walls bounding the rear yard property lines of residential lots along South Mountain Avenue shall include minimum 3-foot offsets.

d. Perimeter walls bounding the rear yard property lines of residential lots along South Mountain Avenue shall be limited to a maximum of 5 feet solid and topped with open view fencing, as approved by the Planning and Development Department.

7. Project entry drives along 19th Avenue and South Mountain Avenue shall be constructed of decorative pavers, stamped or colored concrete, or similar alternative material, as approved by the Planning and Development Department.

8. Project entry drives shall incorporate enhanced landscaping on both sides planted with a variety of at least three plant materials, as approved by the Planning and Development Department. Each landscaped area shall be a minimum of 250-square feet.

9. A minimum system of pedestrian connections shall be provided, as described below and as approved by the Planning and Development Department:

    a. A system of pedestrian connections to/between via the most direct route:

        (1) Amenity areas.

        (2) Sidewalks.

        (3) Pedestrian path connecting the northern and southern portions of the site via a centralized pathway.

        (4) The common open space tract along the southeast corner of 19th Avenue and South Mountain Avenue shall contain a minimum 8-foot wide pedestrian pathway that connects the development with the sidewalk at 19th Avenue or South Mountain Avenue near the street intersection. This pathway shall be constructed of decomposed stabilized granite, decorative pavers, stamped or colored concrete, or similar alternative material. The landscaped tract shall contain minimum 2-inch caliper shade trees planted a minimum of 25 feet on center or equivalent groupings, along both sides of the pedestrian pathway.

(5) A minimum 8-foot wide pedestrian pathway shall connect the development with the multi-use trail along the Western Canal. This pathway shall be provided within an average 30-foot wide landscape tract and constructed of decomposed stabilized granite, decorative pavers, stamped or colored concrete, or similar alternative material.

(6) THE DEVELOPER SHALL PROVIDE ~~**A**~~ PEDESTRIAN ACCESS ~~**GATE**~~ TO THE WESTERN CANAL ALONG THE SOUTHEASTERN PROPERTY LINE AND ~~**A**~~ PEDESTRIAN ~~**GATE**~~ **ACCESS** ALONG BOTH 19TH AVENUE AND SOUTH MOUNTAIN AVENUE. THE PEDESTRIAN ~~**GATES**~~ **ACCESS** SHALL BE CONNECTED TO THE INTERNAL PEDESTRIAN PATHWAYS BY ACCESSIBLE SIDEWALKS.

10. No more than 50 percent of the landscape areas within common areas or 10 percent of the net development area whichever is less, should be planted in turf or high-water use plants. Turf areas should be located only in the common open space areas, including retention basins, as approved by the Planning and Development Department. This requirement does not apply to landscaping located within private yards on individual lots.

11. ~~The following minimum shall be provided and dispersed throughout the development, as approved by the Planning and Development Department:~~ OPEN SPACE AREAS SHALL BE IN GENERAL CONFORMANCE WITH THE LANDSCAPE PLAN DATE STAMPED NOVEMBER 24, 2021, AS MODIFIED BY THE STIPULATIONS AND INCORPORATING THE FOLLOWING AMENITIES, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARMTENT:

    a. Tot lot with shade equipment;

    b. Two picnic areas each with a barbeque grill, shade ramada and a picnic table;

    c. Four benches or seating features; and

    d. Garden amenity of no less than a combined 1,000 square feet in size.

12. All sidewalks along 19th Avenue shall be detached with a landscape strip located between the sidewalk and back of curb following the most recent Cross Section of the Street Classification Map and planted to the following standards, as approved by the Planning and Development Department.

    a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 25 feet on center or in equivalent groupings that provide shade to a minimum 75 percent AT MATURITY.

    b. Drought tolerant vegetation to achieve 75 percent live coverage AT MATURITY.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

13. All sidewalks along South Mountain Avenue shall be detached with a minimum five-foot wide landscape strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.

    a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 25 feet on center or in equivalent groupings that provide shade to a minimum 75 percent AT MATURITY.

    b. Drought tolerant vegetation to achieve 75 percent live coverage AT MATURITY.

    Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

14. The developer shall dedicate a 30-foot wide multi-use trail easement (MUTE) along the east side of 19th Avenue and construct a minimum 10-foot wide multi-use trail (MUT) within the easement in accordance with the MAG supplemental detail, as approved by the Planning and Development Department. The developer shall work with the Site Planning section on an alternate design for this requirement through the technical appeal process.

15. The developer shall dedicate minimum 50 feet of right-of-way and construct the east side of 19th Avenue, as approved by the Planning and Development Department.

16. The developer shall provide the following dedications and construct the south half of South Mountain Avenue in the following manner, as approved by the Planning and Development Department:

    a. Thirty feet of right-of-way between 19th Avenue and 17th Drive.

    b. Forty-four feet of right-of-way east of 17th Drive extending to the eastern boundary of the subject site.

17. The developer shall underground all existing overhead utility lines adjacent to the site.

18. The developer shall provide conduit and junction boxes at the southeast corner of 19th Avenue and South Mountain Road for future traffic signal equipment, as approved by the Street Transportation Department.

19. Existing irrigation facilities along 19th Avenue and South Mountain Avenue shall be undergrounded and/or relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish appropriate process to relocate facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.

20. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

21. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property within the development~~(s)~~ the existence and operational characteristics of agricultural ~~and farming activities~~ USES. THESE DOCUMENTS MUST ADVISE PURCHASERS THAT, UNDER SECTION 3-112(E), ARIZONA REVISED STATUES, THE CITY OF PHOENIX MAY NOT DECLARE AN AGRICULTURAL OPERATION CONDUCTED ON FARMLAND TO BE A NUISANCE IF THE AGRICULTURAL ACTIVITY USE IS LAWFUL, CUSTOMARY, REASONABLE, SAFE AND NECESSARY TO THE AGRICULTURE INDUSTRY. The form and content of such documents shall be ~~according to the templates and instructions provided which have been~~ reviewed and approved by the City A~~ttorney~~ PRIOR TO RECORDATION.

22. PRIOR TO FINAL SITE PLAN APPROVAL, THE PROPERTY OWNER SHALL RECORD DOCUMENTS THAT DISCLOSURE TO PURCHASERS OF PROPERTY WITHIN THE DEVELOPMENT THE EXISTENCE AND OPERATIONAL CHARACTERISTICS OF THE PHOENIX REGIONAL POLICE ACADEMY GUN RANGE. THE FORM AND CONTENT OF SUCH DOCUMENTS SHALL BE REVIEWED BY THE CITY PRIOR TO RECORDATION.

~~22.~~ The property owner shall record documents that disclose the existence, and
23. operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

~~23.~~ The developer shall grant and record an avigation easement to the City of Phoenix
24. Aviation Department for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.

~~24.~~ The developer shall provide a No Hazard Determination for the proposed
25. development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.

~~25.~~ In the event archeological materials are encountered during construction, the
26. developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archeologist, and allow time for the Archeology Office to properly assess the materials.

27. THE DEVELOPER SHALL DEDICATE RIGHT-OF-WAY AND CONSTRUCT ONE BUS STOP PAD ALONG NORTHBOUND 19TH AVENUE TOWARDS THE SOUTH END OF THE SITE. THE BUS STOP PAD SHALL BE CONSTRUCTED ACCORDING TO CITY OF PHOENIX STANDARD DETAIL P1260 WITH A MINIMUM DEPTH OF 10 FEET.

South Mountain
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-31-21-8

Date of VPC Meeting	November 9, 2021
Request From	S-1
Request To	R1-10
Proposed Use	Single-family residential community
Location	Southeast corner of 19th Avenue and South Mountain Avenue
VPC Recommendation	Continued to the December 14, 2021 South Mountain Village Planning Committee meeting date
VPC Vote	**9-2** Motion passed; Members Alvarez, Brooks, Brownell, Busching, Holmerud, Smith, Viera, Marchuk and Daniels in favor; Members Aldama and Shepard in dissent.

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Seven members of the public registered to speak on this item. Three members registered in opposition, one neutral, one in support with conditions and two in support.

Enrique Bojórquez, staff, introduced himself and provided a presentation for the Minor General Plan amendment case GPA-SM-2-21-8 and concurrent rezoning case Z-31-21-8. He discussed the location of the site, noting surrounding land uses, existing General Plan Land Use map designations, and the proposed designation on the site. He discussed the existing zoning in the area and requested zoning for the site. He discussed policy documents including the General Plan and Rio Montaña Area Plan. The conceptual site plan for the proposed single-family subdivision was shown, indicating vehicular plus pedestrian access points, open space location, building height limitations, and lot widths proposed. The conceptual building renderings were discussed. He concluded the presentation by providing a staff recommendation of approval for both cases and describing the proposed stipulations for case Z-31-21-8, as presented in the staff report.

Adam Baugh, with Withey Morris PLC, introduced himself as the applicant and discussed the location and history of the site. He provided an overview of each application, discussed the demand for housing, and surrounding zoning districts.

He discussed the site plan, proposed project features such as fencing elements, building renderings, goals and policies from the General Plan and Rio Montaña Area Plan. An overview of issues related to health, safety, connectivity, appearance, walls, and energy savings was provided. A summary of public outreach was provided, including site plan revisions made to accommodate drainage and other elements. Roadway and flooding-related issues were discussed, in addition to a new rezoning stipulation proposed regarding pedestrian access to the Western Canal from South Mountain Avenue. He concluded the presentation by providing a summary of the project and requested approval of both cases.

Lee Coleman and Fatima Said left the meeting at 9:05pm, bringing the quorum to 11 members.

Chairwoman Daniels asked if the committee had any questions for the applicant or staff regarding these cases.

Gene Holmerud stated that this site is not a compound in the area.

Kay Shepard would like to see off-setting of lots and curvilinear streets for a better community. **Mr. Baugh** responded that his team could address the off-setting of the lots.

Lee Coleman asked for clarification on the development option used. He discussed the development standards. **Mr. Baugh** responded that the Planned Residential Development (PRD) option was used, and the project will follow all development standards.

Marcia Busching is not in favor of gated communities and asked the following questions:

- Does staff have concerns with the additional stipulation proposed by the applicant?
- Can the fencing plan be stipulated?
- Do irrigation facilities have to be undergrounded?

Mr. Bojórquez responded that a closer review of the new stipulation would be needed to determine if any conflicts arise. The Street Transportation Department provided the stipulation which requires the undergrounding and relocation of existing irrigation facilities outside of the right-of-way.

Greg Brownell stated that Mr. Baugh's staff have done a good job. However, Minor General Plan Amendment cases should be heard first before the rezoning case to actively plan land uses. This is a staff problem as this is a bad way to plan, but Mr. Baugh has done what the committee and staff should be doing. The General Plan case should not have a companion case since this promotes a

suggestion on the land use. He will not vote in favor due to this procedure and would reprimand staff if there was a formal way to do so.

Mr. Holmerud asked how water conservation was being considered. **Mr. Baugh** responded that one of the stipulations limited the use of high-water use plants such as turf.

Vice Chair Marchuk asked how the community concerns regarding the single-story limitations was being addressed. **Mr. Baugh** responded that he would agree that a minimum of 20-percent of the homes be kept at one-story.

Vice Chair Marchuk agrees with Ms. Shepard's comments.

Chairwoman Daniels asked of flood maps had been looked at in the area. **Mr. Baugh** responded that flood maps were shared by Patti Trites and these were reviewed. The canal bank and open space locations will help address flooding.

Chairwoman Daniels likes some gated communities. She asked if members of the public wanted to speak on this case.

Jewel Clark, resident of the area, introduced herself and asked that staff no longer share copies of presentation slides from the public with the developer ahead of the meeting. She showed a brief presentation and discussed the outcome of a previous rezoning case across the street, roadways, drainage, and the Rio Montaña Area Plan. The area should remain with existing R1-18 and S-1 zoning. She discussed traffic and flooding issues at the intersection of 19th Avenue and South Mountain Avenue. She discussed a map depicting existing zoning designations in the area and asked for these applications to be denied.

Mike Josic, resident of the area, introduced himself and stated that in 2018 the South Mountain VPC denied a similar rezoning request across 19th Avenue. He asked for a 90-day continuance on the case to continue to work with the developer. He lives in the area and would be affected. This project is not appropriate here and liked the South Central TOD presentation. Tiny lots will destroy the character of the area and do not reflect the existing character. There was not enough time to meet with the developer, as he only participated once in a virtual meeting about the project.

Erin Hegedus, resident of the area, introduced herself and stated that 3 years ago a similar conversation was had, and this project is not consistent with the Rio Montaña Area Plan. She discussed proposed enhancements and lives across the street from the project. She has not seen any planned improvements for the site. She asked how this project will improve the community and stated that there is a lack of trails now. Take a good look at this project as it will affect this community and does not support this project.

Troy Gamm, resident of the area, introduced himself and stated that this is a good developer. This proposed project looks nice, has one-story limitations and the main gate is along 19th Avenue. He supports this project.

Penny Gamm, resident of the area, introduced herself and stated that this project keeps the feel of the area. One-story homes are good and will help keep the views, while allowing future residents a short commute to Downtown Phoenix and providing good access for families. This builder is thoughtful on design and provides a good housing product.

Steven Higginbotham, resident of the area, introduced himself and stated that he moved to this area because he enjoys recreation, and discussed the comments made by the applicant regarding pedestrian and vehicular access. He discussed the notification letter and feels that in general increasing the density of the area is heading in the wrong direction. He discussed receiving the notification letter recently and discussed his concerns.

Mr. Baugh stated that he met with Magdalena Estates early in the process and the feedback received was incorporated from members of the public. He would like to move forward in the process.

Vice Chair Marchuk asked if he would consider continuing the cases. **Mr. Baugh** responded that he has been working on these cases for 11 months now and has incorporated much of the feedback received. He is unsure on what else could be accomplished by continuing the cases.

Chairwoman Daniels stated that she is a native of Phoenix and has seen this community grow. She expects it to continue growing into the future. She asked for questions or further discussion from the committee.

MOTION – Z-31-21-8:

Ms. Busching motioned to continue case Z-31-21-8 to the December 14, 2021 meeting date. **Ms. Shepard** seconded the motion to continue.

DISCUSSION – Z-31-21-8:

Ms. Alvarez supports the continuance.

Mr. Brownell discussed decreasing lumber prices.

Mr. Holmerud is not in favor of the project.

Vice Chair Marchuk expressed concerns about the impact of the continuance on the case.

Ms. Busching asked the applicant to address the following items before the next meeting:

- Off-set the lots in the development.
- Further reduce the number of two-story homes, such as 20-percent of the lots shall be two-story.
- Incorporate flood irrigation in common areas and lots.
- Update the landscape plan.
- Incorporate the pedestrian access stipulation proposed by the applicant.

VOTE – Z-31-21-8:

9-2, motion passed; Members Alvarez, Brooks, Brownell, Busching, Holmerud, Smith, Viera, Marchuk and Daniels in favor; Members Aldama and Shepard in dissent.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

None.

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

ADDENDUM B
Staff Report: Z-31-21-8
January 6, 2022

South Mountain Village Planning Committee Meeting Dates:	November 9, 2021 December 14, 2021
Planning Commission Hearing Date:	December 2, 2021 January 6, 2022
Request From:	S-1 (Ranch or Farm Residence District) (49.52 acres)
Request To:	R1-10 (Single-Family Residence District) (49.52 acres)
Proposed Use:	Single-family detached residential community
Location:	Southeast corner of 19th Avenue and South Mountain Avenue
Owner:	New Castle Development, LLC
Applicant:	Providence Homes
Representative:	Benjamin Tate, Withey Morris, PLC
Staff Recommendation:	Approval, subject to stipulations

The Planning Commission voted unanimously (8-0) on December 2, 2021 to continue this case to the January 6, 2022 meeting and allow the applicant to return to the South Mountain Village Planning Committee for recommendation.

The South Mountain Village Planning Committee heard this rezoning request on December 14, 2021 and voted (7-3-1) to approve the case per Addendum A of the staff report with a modification to Stipulation No. 9.a (6) regarding pedestrian gates.

As a result of the discussion at the December 14, 2021 Village Planning Committee meeting and subsequent community outreach efforts, the applicant has provided an updated site plan and a landscape plan, attached to this report, that depicts a decrease in the number of lots from 156 to 149 on the subject site. Furthermore, the applicant has increased the minimum lot width from 55 feet to 60 feet for all lots.

Due to these changes, staff recommends modifying the following stipulations:

- **Stipulation No. 1** regarding general conformance to the updated site plan and update to the minimum lot width;
- **Stipulation No. 11.** regarding general conformance to updated landscape plan.

Leading up to and following the December 14, 2021 South Mountain Village Planning Committee meeting, staff also received additional correspondence from the public regarding this case. This additional correspondence is attached.

Staff recommends approval per the modified stipulations, reflecting updates to the site plan and landscape plan, provided below:

Stipulations

1. The development shall be in general conformance with the site plan date stamped ~~November 2, 2021~~ ~~NOVEMBER 24, 2021,~~ **JANUARY 6, 2022,** as modified by the following stipulations and approved by the Planning and Development Department with specific regard to the following:

    a. Lots 1 through 28 shall be a minimum of 75 feet in width.

    b. All other lots shall be a minimum of ~~55~~ **60** feet in width.

    c. Portions of lots 28 and 29 may be modified to accommodate any required canal frontage standards.

    d. The location of the open space areas.

    e. A minimum of ~~17~~ 16 percent of the gross site area shall be provided as open space.

    f. A minimum building setback of 150 feet, exclusive of fencing or entry features, shall be provided along the western perimeter property line along 19th Avenue.

2. The required landscape setbacks shall be planted with minimum 50-percent 2-inch caliper and 50-percent 3-inch caliper large canopy drought-tolerant trees, 20 feet on center or in equivalent groupings, with five 5-gallon shrubs per tree, as approved by the Planning and Development Department.

3. The maximum building height shall be limited to ~~two stories and 30 feet, except that lots 1 through 53, 82, 83, 108, 109, 159 and 160 as depicted on the site plan date stamped November 2, 2021, shall be limited to~~ one story and ~~20~~ 22 feet.

4. All lots within the development shall be subject to Single-Family Design Review, including 75-foot wide lots, as approved by the Planning and Development Department.

5. Building elevations shall be developed to the following standards, as approved by the Planning and Development Department:

    a. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco, or other materials to provide a decorative and aesthetic treatment.

    b. A minimum of 50 percent of the elevations for each floor plan shall provide a covered front porch in the front yard with a minimum of 60 square feet in area at a depth of at least six feet. No porch shall terminate within the plane of a door or window.

    c. Pitched roofs shall be provided on all building elevations.

6. The development shall be in general conformance with the fencing exhibit (landscape plan) and elevations date stamped October 14, 2021, as modified by the following stipulations and approved by the Planning and Development Department.

    a. Full open view fencing shall be utilized where an open space tract is adjacent to a canal.

    b. Where view fencing is required by the Zoning Ordinance, a combination of solid masonry wall and view fencing may be utilized. The solid portion of the wall shall not exceed 4 feet in height.

    c. Perimeter walls bounding the rear yard property lines of residential lots along South Mountain Avenue shall include minimum 3-foot offsets.

    d. Perimeter walls bounding the rear yard property lines of residential lots along South Mountain Avenue shall be limited to a maximum of 5 feet solid and topped with open view fencing, as approved by the Planning and Development Department.

7. Project entry drives along 19th Avenue and South Mountain Avenue shall be constructed of decorative pavers, stamped or colored concrete, or similar alternative material, as approved by the Planning and Development Department.

8. Project entry drives shall incorporate enhanced landscaping on both sides planted with a variety of at least three plant materials, as approved by the Planning and Development Department. Each landscaped area shall be a minimum of 250-square feet.

9. A minimum system of pedestrian connections shall be provided, as described below and as approved by the Planning and Development Department:

    a. A system of pedestrian connections to/between via the most direct route:

        (1) Amenity areas.

        (2) Sidewalks.

        (3) Pedestrian path connecting the northern and southern portions of the site via a centralized pathway.

        (4) The common open space tract along the southeast corner of 19th Avenue and South Mountain Avenue shall contain a minimum 8-foot wide pedestrian pathway that connects the development with the sidewalk at 19th Avenue or South Mountain Avenue near the street intersection. This pathway shall be constructed of decomposed stabilized granite, decorative pavers, stamped or colored concrete, or similar alternative material. The landscaped tract shall contain minimum 2-inch caliper shade trees planted a minimum of 25 feet on center or equivalent groupings, along both sides of the pedestrian pathway.

        (5) A minimum 8-foot wide pedestrian pathway shall connect the development with the multi-use trail along the Western Canal. This pathway shall be provided within an average 30-foot wide landscape tract and constructed of decomposed stabilized granite, decorative pavers, stamped or colored concrete, or similar alternative material.

        (6) THE DEVELOPER SHALL PROVIDE ~~A~~ PEDESTRIAN ACCESS ~~GATE~~ TO THE WESTERN CANAL ALONG THE SOUTHEASTERN PROPERTY LINE AND ~~A~~ PEDESTRIAN ~~GATE~~ ACCESS ALONG BOTH 19TH AVENUE AND SOUTH MOUNTAIN AVENUE. THE PEDESTRIAN ~~GATES~~ ACCESS SHALL BE CONNECTED TO THE INTERNAL PEDESTRIAN PATHWAYS BY ACCESSIBLE SIDEWALKS.

10. No more than 50 percent of the landscape areas within common areas or 10 percent of the net development area whichever is less, should be planted in turf or high-water use plants. Turf areas should be located only in the common open space areas, including retention basins, as approved by the Planning and Development Department. This requirement does not apply to landscaping located within private yards on individual lots.

11. ~~The following minimum shall be provided and dispersed throughout the development, as approved by the Planning and Development Department:~~ OPEN SPACE AREAS SHALL BE IN GENERAL CONFORMANCE WITH THE LANDSCAPE PLAN DATE STAMPED ~~NOVEMBER 24, 2021,~~ **JANUARY 6, 2022,** AS MODIFIED BY THE

STIPULATIONS AND INCORPORATING THE FOLLOWING AMENITIES, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARMTENT:

a. Tot lot with shade equipment;

b. Two picnic areas each with a barbeque grill, shade ramada and a picnic table;

c. Four benches or seating features; and

d. Garden amenity of no less than a combined 1,000 square feet in size.

12. All sidewalks along 19th Avenue shall be detached with a landscape strip located between the sidewalk and back of curb following the most recent Cross Section of the Street Classification Map and planted to the following standards, as approved by the Planning and Development Department.

    a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 25 feet on center or in equivalent groupings that provide shade to a minimum 75 percent AT MATURITY.

    b. Drought tolerant vegetation to achieve 75 percent live coverage AT MATURITY.

    Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

13. All sidewalks along South Mountain Avenue shall be detached with a minimum five-foot wide landscape strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.

    a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 25 feet on center or in equivalent groupings that provide shade to a minimum 75 percent AT MATURITY.

    b. Drought tolerant vegetation to achieve 75 percent live coverage AT MATURITY.

    Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

14. The developer shall dedicate a 30-foot wide multi-use trail easement (MUTE) along the east side of 19th Avenue and construct a minimum 10-foot wide multi-use trail (MUT) within the easement in accordance with the MAG supplemental detail, as approved by the Planning and Development Department. The developer shall work

with the Site Planning section on an alternate design for this requirement through the technical appeal process.

15. The developer shall dedicate minimum 50 feet of right-of-way and construct the east side of 19th Avenue, as approved by the Planning and Development Department.

16. The developer shall provide the following dedications and construct the south half of South Mountain Avenue in the following manner, as approved by the Planning and Development Department:

    a. Thirty feet of right-of-way between 19th Avenue and 17th Drive.

    b. Forty-four feet of right-of-way east of 17th Drive extending to the eastern boundary of the subject site.

17. The developer shall underground all existing overhead utility lines adjacent to the site.

18. The developer shall provide conduit and junction boxes at the southeast corner of 19th Avenue and South Mountain Road for future traffic signal equipment, as approved by the Street Transportation Department.

19. Existing irrigation facilities along 19th Avenue and South Mountain Avenue shall be undergrounded and/or relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish appropriate process to relocate facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.

20. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

21. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property within the development~~(s)~~ the existence and operational characteristics of agricultural ~~and farming activities~~ USES. THESE DOCUMENTS MUST ADVISE PURCHASERS THAT, UNDER SECTION 3-112(E), ARIZONA REVISED STATUES, THE CITY OF PHOENIX MAY NOT DECLARE AN AGRICULTURAL OPERATION CONDUCTED ON FARMLAND TO BE A NUISANCE IF THE AGRICULTURAL ACTIVITY USE IS LAWFUL, CUSTOMARY, REASONABLE, SAFE AND NECESSARY TO THE AGRICULTURE INDUSTRY. The form and content of such documents shall be ~~according to the templates and instructions provided which have been~~ reviewed and approved by the City A~~ttorney~~ PRIOR TO RECORDATION.

22. PRIOR TO FINAL SITE PLAN APPROVAL, THE PROPERTY OWNER SHALL RECORD DOCUMENTS THAT DISCLOSURE TO PURCHASERS OF PROPERTY WITHIN THE DEVELOPMENT THE EXISTENCE AND OPERATIONAL

CHARACTERISTICS OF THE PHOENIX REGIONAL POLICE ACADEMY GUN RANGE. THE FORM AND CONTENT OF SUCH DOCUMENTS SHALL BE REVIEWED BY THE CITY PRIOR TO RECORDATION.

~~22.~~ 23. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

~~23.~~ 24. The developer shall grant and record an avigation easement to the City of Phoenix Aviation Department for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.

~~24.~~ 25. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.

~~25.~~ 26. In the event archeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archeologist, and allow time for the Archeology Office to properly assess the materials.

27. THE DEVELOPER SHALL DEDICATE RIGHT-OF-WAY AND CONSTRUCT ONE BUS STOP PAD ALONG NORTHBOUND 19TH AVENUE TOWARDS THE SOUTH END OF THE SITE. THE BUS STOP PAD SHALL BE CONSTRUCTED ACCORDING TO CITY OF PHOENIX STANDARD DETAIL P1260 WITH A MINIMUM DEPTH OF 10 FEET.

Exhibits

Conceptual Site Plan date stamped January 6, 2022 (2 pages)
Conceptual Landscape Plan date stamped January 6, 2022
Correspondence from the public (19 pages)

PRELIMINARY SITE PLAN
FOR
KIMURA GARDENS
A PORTION OF SOUTHEAST QUARTER OF SECTION 6,TOWNSHIP 1 SOUTH, RANGE 3 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, CITY OF PHOENIX

LEGAL DESCRIPTION

-PARCEL NO. 1:

LOT 6 OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE WEST 33 FEET CONVEYED TO MARICOPA COUNTY, BY QUIT CLAIM DEED RECORDED IN BOOK 105 OF DEEDS, PAGE 361, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 2:

THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE FOLLOWING DESCRIBED PROPERTY;

THAT PART OF THE NORTHEAST OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER SAID CORNER BEING MARKED WITH A CONCRETE MONUMENT ;

THENCE WEST (ASSUMEDBEARING) ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER 938.38 FEET TO A POINT MARKED WITH AN IRON PIPE;

THENCE SOUTH 00 DEGREES 3 MINUTES WEST ALONG A FENCE 1296.60 FEET TO A POINT MARKED WITH AN IRON PIPE;

THENCE NORTH 49 DEGREES 47 MINUTES EAST ALONG THE NORTHWEST SIDE OF A DITCH 660.05 FEET TO A POINT MARKED WITH AN IRON PIPE;

THENCE NORTH 40 DEGREES 26 MINUTES EAST CONTINUING ALONG SAID DITCH 250.40 FEET TO A POINT MARKED WITH AN IRON PIPE;

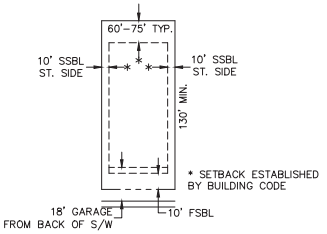
THENCE NORTH 27 DEGREES 30 MINUTES EAST CONTINUING ALONG SAID DITCH 596.80 FEET TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, SAID POINT BEING MARKED WITH AN IRON PIPE;

THENCE NORTH 0 DEGREES 16 MINUTES WEST ALONG SAID EAST LINE 142.93 FEET TO THE POINT OF BEGINNING; AND

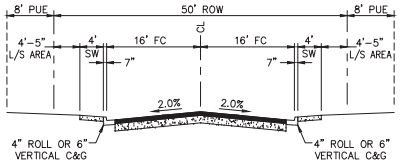
EXCEPT ANY PORTION LYING EASTERLY OF THE WEST RIGHT OF WAY LINE OF THE WESTERN CANAL.

R1-10 DEVELOPMENT STANDARDS - PRD

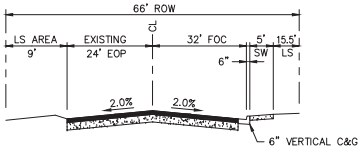
STANDARDS	PLANNED RESIDENTIAL DEVELOPMENT	PROPOSED STANDARD
MIN LOT WIDTH (IN THE EVENT OF HORIZONTAL PROPERTY REGIMES, "LOT" SHALL REFER TO THE WIDTH OF THE STRUCTURE AND EXCLUSIVE USE AREA)	45' MINUMIN (UNLESS APPROVED BY EITHER THE DESIGN ADVISOR OR THE SINGLE FAMILY ARCHITECTURAL APPEALS BOARD FOR DEMONSTRATING ENHANCED ARCITECTURE THAT MINIMIZES THE IMPACT OF THE GARAGE.	60'
MINIMUM LOT DEPTH	NONE, EXCEPT 110' ADJACENT TO FREEWAY OR ARTERIAL	122'
DWELLING UNIT DENSITY (UNITS/GROSS ACRE)	3.5; 4.5 WITH BONUS	3.00 DU/AC
MIN. PERIMETER BUILDING SETBACKS	STREET (FRONT, REAR OR SIDE): 15' (IN ADDITION TO LANDSCAPE SETBACK); PROPERTY LINE (REAR): 15' (1-STORY), 20' (2-STORY); PROPERTY LINE (SIDE): 10' (1-STORY) 15' (2-STORY)	STREET (FRONT, REAR OR SIDE) 15'; (IN ADDITION TO LANDSCAPE SETBACK); PROPERTY LINE (REAR) 15' (1-STORY) 20' (2-STORY), PROPERTY LINE (SIDE); 10' (1-STORY) 15' (2-STORY)
COMMON LANDSCAPED SETBACK ADJACENT TO PERIMITER STREETS	15' AVERAGE, 10' MINIMUM (DOES NOT APPLY TO LOTS FRONTING ONTO PERIMETER STREETS)	15' AVERAGE, 10' MINIMUM (DOES NOT APPLY TO LOTS FRONTING ONTO PERIMETER STREETS)
MIN. INTERIOR BUILDING SETBACK	FRONT: 10';REAR: NONE; (ESTABLISHED BY BUILDING CODE); STREET SIDE: 10' SIDES: NONE (ESTABLISHED BY BUILDING CODE)	FRONT: 10';REAR: NONE; (ESTABLISHED BY BUILDING CODE); STREET SIDE: 10' SIDES; NONE (ESTABLISHED BY BUILDING CODE)
MIN. BUILDING SEPARATION	NONE	NONE
MIN. GARAGE SETBACK	18' FROM BACK OF SIDEWALK FOR FRONT-LOADED GARAGES, 10' FROM PROPERTY FOR SIDE-LOADED GARAGES	18' FROM BACK OF SIDEWALK FOR FRONT-LOADED GARAGES, 10' FROM PROPERTY FOR SIDE-LOADED GARAGES
MIN. GARAGE WIDTH	FOR LOTS <60': 2 CAR WIDTHS, FOR LOTS >60' TO 70': 3 CAR WIDTHS, FOR LOTS >70': NO MAXIMUM	FOR LOTS <60': 2 CAR WIDTHS, FOR LOTS >60' TO 70': 3 CAR WIDTHS, FOR LOTS >70': NO MAXIMUM
MAXIMUM HEIGHT	2 STORIES AND 30' (EXCEPT THAT 3 STORIES NOT EXCEEDING 30' ARE PERMITTED WHEN APPROVED BY THE DESIGN ADVISOR FOR DEMONSTRATING ENHANCED ARCHITECTURE.	2 STORIES AND 30' (EXCEPT THAT 3 STORIES NOT EXCEEDING 30' ARE PERMITTED WHEN APPROVED BY THE DESIGN ADVISOR FOR DEMONSTRATING ENHANCED ARCHITECTURE.
LOT COVERAGE	PRIMARY STRUCTURE, NOT INCLUDING ATTACHED SHADE STRUCTURES: 40% TOTAL 50%	PRIMARY STRUCTURE, NOT INCLUDING ATTACHED SHADE STRUCTURES: 40% TOTAL 50%
COMMON AREAS	MINIMUM 5% OF GROSS AREA	16.5%
ALLOWED USES	SINGLE-FAMILY DETACHED	SINGLE-FAMILY DETACHED
REQUIRED REVIEW	DEVELOPMENT REVIEW PER SECTION 507, AND SUBDIVISION TO CREATE 4 OR MORE LOTS	DEVELOPMENT REVIEW PER SECTION 507, AND SUBDIVISION TO CREATE 4 OR MORE LOTS
STREET STANDARDS	PUBLIC STREET OR PRIVATE ACCESSWAY(1)	PUBLIC STREET OR PRIVATE ACCESSWAY(1)
ON-LOT AND COMMON RETENTION	COMMON RETENTION REQUIRED FOR LOTS LESS THAN 8,000 SQ. FT. PER GRADING AND DRAINAGE ORDINANCE REQUIREMENTS	COMMON RETENTION AREAS
LANDSCAPE STANDARDS	PERIMETER COMMON: TREES SPACED A MAXIMUM OD 20 TO 30 FEET ON CENTER (BASED ON SPECIES) OR IN EQUIVALENT GROUPINGS, AND 5 SHRUBS PER TREE.	PERIMETER COMMON: TREES SPACED A MAXIMUM OD 20 TO 30 FEET ON CENTER (BASED ON SPECIES) OR IN EQUIVALENT GROUPINGS, AND 5 SHRUBS PER TREE.



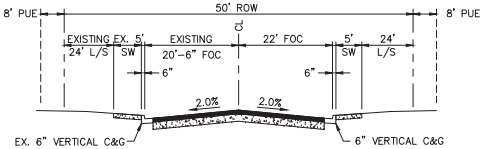
TYPICAL LOT DETAIL



LOCAL STREET
COP DETAIL P1014
TYPICAL CROSS SECTION A
N.T.S.



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



SOUTH MOUNTAIN AVENUE
TYPICAL CROSS SECTION
LOOKING EAST
N.T.S.

SITE PLAN NOTES

1. DEVELOPMENT AND USE OF THIS SITE WILL CONFORM WITH ALL APPLICABLE CODES AND ORDINANCES.
2. ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND.
3. 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'
4. STRUCTURES AND LANDSCAPING WITHIN A TRIANGLE MEASURING 33'X33' ALONG THE PROPERTY LINES WILL BE MAINTAINED AT A MAXIMUM HEIGHT OF 3'
5. 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. 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.
6. OWNERS OF THE PROPERTY ADJACENT TO THE PUBLIC RIGHTS-OF-WAY WILL HAVE THE RESPONSIBILITY FOR MAINTAINING ALL LANDSCAPING LOCATED WITHIN THE RIGHTS-OF-WAY, IN ACCORDANCE WITH APPROVED PLANS.
7. ALL ROOFTOP EQUIPMENT AND SATELLITE DISHES SHALL BE SCREENED TO THE HEIGHT OF THE TALLEST EQUIPMENT.
8. 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.
9. BARBED, RAZOR OR CONCERTINA WIRE (OR SIMALIER) SHALL NOT BE USED ON THIS SITE WHERE VISIBLE FROM PUBLIC STREETS AND ADJACENT TO RESIDENTIAL AREAS.
10. ALL SIGNAGE REQUIRES SEPARATE REVIEWS, APPROVALS, AND PERMITS. NO SIGNS ARE APPROVED PER THIS PLAN.

PROJECT DESCRIPTION

SOUTH MOUNTAIN 50 IS A PROPOSED 156 LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION.

SITE ADDRESS

1835 W. SOUTH MOUNTAIN AVENUE
PHOENIX, AZ. 85041

BENCHMARK

CITY OF PHOENIX MONUMENT: 2INCH IRON PIPE WITH REBAR IN CENTER, LOCATED AT THE INTERSECTION OF 7TH AVENUE AND SOUTH MOUNTAIN AVENUE
ELEVATION = 1190.72 (NGVD-29, CITY OF PHOENIX DATUM)

BASIS OF BEARING

THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 6, T.1S., R.3E., G.&S.R.B.&M. WHICH BEARING N 89° 43' 11" WEST, AS SHOWN ON THE FINAL PLAT OF "THE COMMONS AT SOUTH MOUNTAIN" RECORDED IN BOOK 905, PAGE 34, MARICOPA COUNTY RECORDS.

FLOODPLAIN DESIGNATION

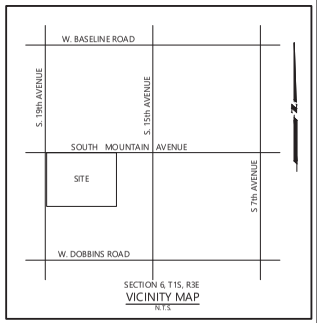
THE SUBJECT PROPERTY IS LOCATED WITHIN SHADED ZONE "X" DEFINED AS "AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREA PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD; PER FIRM MAP NO. 04013C2680L, DATED OCTOBER 16, 2013.

PROPOSED DEVELOPMENT

THIS PROPOSAL INTENDS TO SUBDIVIDE THE 49.5 ACRE PROPERTY INTO 156 SINGLE FAMILY LOTS. THESE LOTS WILL BE DEVELOPED UNDER R1-10 ZONING STANDARDS. PRD DEVELOPMENT STANDARDS.

SERVICE PROVIDERS

WATER	CITY OF PHOENIX
SEWER	CITY OF PHOENIX
POLICE	CITY OF PHOENIX
FIRE	CITY OF PHOENIX
ELECTRIC	SALT RIVER PROJECT



APPLICANT

NEWCASTLE DEVELOPMENT, LLC
6628 E. BASELINE ROAD
SUITE 102
MESA, AZ. 85206

ENGINEER

BFH GROUP
3707 EAST SOUTHERN AVENUE
MESA, ARIZONA, 85206
PHONE: 480.734.1446
CONTACT: DAVID M. BOHN

SITE SUMMARY

GROSS AREA	=	2,162,702 SQ. FT. OR 49.65 ACRES
NET AREA	=	2,035,910 SQ. FT. OR 46.74 ACRES
EXISTING ZONING	=	S-1
PROPOSED ZONING	=	R1-10
PARCEL NUMBERS	=	300-49-003C, -004, -005
NUMBER OF LOTS	=	149
LOTS AREA	=	1,275,369.98 SQ. FT. (TOTAL)
PROPOSED DENSITY	=	3.00 DWELLING UNITS PER ACRE
LOT SALES PROPOSED	=	YES
COMMON AREA	=	356,845 SQ. FT. (TOTAL) OR 16.5% (GROSS AREA)
RETENTION	=	ABOVE GROUND BASINS

SITE LEGEND

- BOUNDARY
- CENTERLINE
- RIGHT-OF-WAY
- LOT LINE
- EASEMENT

CITY OF PHOENIX
JAN 06 2022
Planning & Development Department

NOT APPROVED FOR CONSTRUCTION

BFH Group
3707 EAST SOUTHERN AVENUE
MESA, ARIZONA, 85206
PHONE: 480.734.1446

REVISIONS:

PRELIMINARY SITE PLAN
PROJECT: KIMURA GARDENS
CITY OF PHOENIX, AZ 85041

Job No.: -
Drawn By: PJ
Checked: DB

CALL TWO WORKING DAYS BEFORE YOU DIG (602) 263-1100 1-800-STAKE-IT (OUTSIDE MARICOPA COUNTY)

REGISTERED PROFESSIONAL ENGINEER
CERTIFICATE EXPIRES
40533
DAVID M. BOHN
ARIZONA U.S.A.
EXPIRES 09/30/2023

JOB NO.
00202010130

Prelim Site Plan

SHEET NO.
1

1 OF 2

C:\ENGR\2021\00202110020KIMURA GARDENS\DWG\CIVIL\PRELIMINARY\CONCEPTUAL\CONTEXT PLAN\123021\Prelim SP01 010522.dwg, 01/05/2022 3:49:49 PM

NOT APPROVED FOR CONSTRUCTION

JOB NO. 00220010130	Prelim Site Plan	SHEET NO. 2	2 OF 2

CALL TWO WORKING DAYS BEFORE YOU DIG (CONSTRUCTION COUNTY) (602) 263-1100 1-800-STAKE-IT

Des. by:	JB	-
Dwn. by:		
Apr. by:		

PRELIMINARY SITE PLAN

PROJECT: KIMURA GARDENS

CITY OF PHOENIX, AZ 85041

REVISIONS:

BFH Group
3707 EAST SOUTHERN AVENUE
MESA, ARIZONA, 85206
PHONE: 480.734.1446

SITE SUMMARY

GROSS AREA	=	2,162,702 SQ. FT. OR 49.65 ACRES
NET AREA	=	2,055,910 SQ. FT. OR 46.74 ACRES
EXISTING ZONING	=	S-1
PROPOSED ZONING	=	R1-10
APPROX. NUMBERS	=	300-49-003C, -004, -005
NUMBER OF LOTS	=	107
LOTS AREA	=	1,275,369.98 SQ. FT. (TOTAL)
PROPOSED DENSITY	=	3.00 DWELLING UNITS PER ACRE
LOT COVERAGE PROPOSED	=	356,845 SQ. FT. (TOTAL) OR 16.5% (GROSS AREA)
COMMON AREA	=	ABOVE GROUND BASINS
RETENTION	=	

1" = 80'

CITY OF PHOENIX
JAN 06 2022
Planning & Development Department



CITY OF PHOENIX
JAN 06 2022
Planning & Development Department

everett landscape architecture

KIMURA GARDENS

PHOENIX, ARIZONA

DATE
9/14/2021

21015

Sheet Title:
LANDSCAPE PLAN

Sheet:

Racelle Escolar

From: Dianne Olivo <tdranch@icloud.com>
Sent: Thursday, December 2, 2021 1:17 PM
To: PDD Planning Commission
Subject: GPA-SM-2-21-8

I am directly across from this proposed project.
I am opposed to the rezoning of agriculture property it should remain as zoned agriculture And 1 dwelling per acre for following reasons:
1 Density would increase strain on already stretched water resources especially during drought. There should be an impact study of the water use and needs as well as all the other reasons i.e. traffic and especially the pollution impact of adjacent neighbor to south (produces methane gas) into the air.
2- buildout irrigation throughout development to each 1 acre lot and increase pricing to offset.
3- Bottom line there is no proven need for more nondescript housing anywhere currently. especially taking out valuable agricultural quickly disappearing land to be paved under asphalt adding to our climate change and O-Zone problems that's why we have zoning and hopefully responsible people on the board

Dianne Olivo
TDRANCH
8804 S 19th Ave

From:	Patti Trites
To:	Enrique A Bojorquez-Gaxiola
Cc:	Tamala Daniels; trentchristopher@gmail.com; Marcia Busching; twanna.bhna@yahoo.com; Greg Brownell; edward@yourgreatestself.com; Adriana Garcia Maximiliano
Subject:	REquest to speak and comment: Z-31-21-8 GPA-SM-3-21-8
Date:	Monday, December 13, 2021 12:05:57 PM

Dear Enrique

I would like to register to at tomorrow's SMVPC.

I would like to also speak for Agenda Item # 6 & 7 for Z-31-21-8 companion case GPA -SM - 3-21-8

- **Thank you in advance for contacting the Maricopa County Flood Control District and looking at the flood maps of this property.**

- **Thank you also for keeping the entrance and exit into this new proposed community off of 19th Avenue.**

19th Avenue is the entrance to the South Mountain Trailhead: 19th Ave. (Ma-Ha-Tauk) Trailhead at 10484 S. 19th Ave.

Per the COP own site: At more than 16,000 acres, South Mountain Park/Preserve is one of the largest municipally managed parks in the nation and consists of three mountain ranges - the Ma Ha Tauk, Gila and Guadalupe. The park boasts more than 50 miles of trails for hiking, horseback riding and mountain biking. Additionally, the roadways throughout the park are a favorite for bicyclists.

- **Safety and the beauty of South Mountain should be maintained as new development happens in the area.**

Many people - residents and visitors - utilize 19th Avenue as their entrance onto South Mountain Trailhead.

Keep it safe. Do not allow entrance or exits onto 19th avenue for new developments.

- Flood Control and COP are also planning on a 66" storm drain pipe and catch basins along 19th Avenue to South Mountain.

Keep 19th Avenue free of resident traffic as possible for safety.

- **Please keep the South Mountain Area looking complementary to its surroundings;**

1. Avoid block walls 'prison' effect around the new communities.
2. Please include plenty of plants/trees and Decorative Iron Fencing to surround the new developments.
3. Please have interior green space for the new residents.

These three items - when done correctly - will enhance the area and match the unique South Mountain Preserve Area.

Lets keep South Mountain Preserve beautiful.

Thank you.

Patti Trites
Homeowner at South Mountain
President of Southern Hills HOA

Cell: 402 213 7126

Email: pattihoash@gmail.com

From:	Erin Hegedus
To:	Enrique A Bojorquez-Gaxiola
Subject:	Kimura - case Z-31-21-8 (GPA-SM-2-21-8 is currently continued)
Date:	Monday, December 13, 2021 6:45:09 PM

I am asking for a continuance to this case.

The developer has recently met with the community but has submitted to the Council a different plan that was discussed. I believe this project is being accelerated without documentation on what the community is asking in order to maintain the character and diversity of our neighborhood.

I am extremely concerned with how the infrastructure is going to support this development in addition to the existing, let alone the new homes that are currently under construction on South Mountain Avenue and Dobbins Road.

These roadways are 1 to 2 lane roads that currently cannot support the traffic, I ask that you consider this, and before approving further development, conduct a study plan in advance to understand the impact, not only on the traffic but the heat island this and other developments are creating.

Respectfullly,
Erin Hegedus
8630 South 19th Avenue

Sent from Mail [go.microsoft.com] for Windows

From:	Steven & Rebekah Higginbotham
To:	Council District 8 PCC; Enrique A Bojorquez-Gaxiola
Subject:	I support continuance for cases Z-31-21-8 and GPA-SM-2-21-8
Date:	Sunday, December 12, 2021 9:45:30 PM

I live near 19th Avenue and South Mountain and I support continuance for cases Z-31-21-8 and GPA-SM-2-21-8 (aka Kimura Gardens).

Best,
Rebekah

From:	Steven Higginbotham
To:	Enrique A Bojorquez-Gaxiola; Council District 8 PCC
Subject:	I support continuance for cases Z-31-21-8 and GPA-SM-2-21-8
Date:	Sunday, December 12, 2021 10:18:14 PM

Hello,

I live near 19th Avenue and South Mountain and I support continuance for cases Z-31-21-8 and GPA-SM-2-21-8 (aka Kimura Gardens).
.

Steven Higginbotham
1804 w Magdalena Ln, Phoenix, AZ 85041

--
Steven Higginbotham

From: JoAnne Jensen
To: Enrique A Bojorquez-Gaxiola
Subject: Z-31-21-8 and GPA-SM-2-21-8 Continuance Recommendation
Date: Monday, December 13, 2021 7:54:18 PM

Hello -

This is to request a continuance for item Z-31-21-8, to rezone the 49.5 acre parcel on the southeast corner of 19th Avenue and South Mountain to R1-18.

The community is in ongoing discussions with the Providence group, who is developing this parcel. The current stipulations do not and will likely not be reflected in the final proposal, when all is said and done. It is my feeling that the South Mountain Village Planning Committee should have the opportunity to review the final version and make its recommendation to the Planning Commission based on something that is more than notional.

We thank the Providence group for their time and attention to the neighbors and hope that we are nearing completion of our talks.

We also believe that there is no harm done by taking a deep breath; by taking our time, we will get it right rather than rushing into something which is ill-conceived and which may have unintended consequences.

Please add me to the list of those requesting a continuance. A continuance is not a rejection, nor does it equate with opposition. We know there will be development, we just want to be sure it is appropriate to this area.

Thank you all very much for your efforts on behalf of our unique rural community.

JoAnne Jensen
8303 S. 17th Drive (Magdalena Estates)
Phoenix AZ 85041
480-213-6499

From:	Dean Chiarelli
To:	Enrique A Bojorquez-Gaxiola
Subject:	December 14: SMVPC Meeting
Date:	Tuesday, December 14, 2021 11:45:32 AM
Attachments:	Outlook-rmpvn2ah.png Outlook-o00zkkho.png

Mr. Bojorquez-Gaxiola:

I have been a South Mountain resident and homeowner for 9.5 years. I registered for the South Mountain Village Planning Committee meeting on December 14th and would like to comment if possible. In case I cannot speak, I'm documenting my opposition to three rezoning items. The Committee should disapprove rezoning to increase the number of residential units. The proposed changes will cause excessive vehicle traffic and congestion on the local streets. The new homes currently under construction in the surrounding area are not even fully built yet, and there is already much traffic at the intersection where 19th Avenue meets Dobbins Road. Many of the streets in the rezoning area were built as "country roads" -- not meant for higher-density residential developments. In the future, there should be a new traffic study when the latest homes along the Dobbins corridor (7th Avenue to Loop 202) are occupied.

The right developers for this land should integrate their plans within the current zoning. The South Mountain area is a unique and historic location, and it is quickly becoming a generic bedroom community with roads not built to meet the needs of higher-volume residential developments.

Z-31-21-8 (Companion Case GPA-SM-2-21-8)- OPPOSE

GPA-SM-3-21-8 (Companion Case Z-58-21-8)- OPPOSE

Z-58-21-8 (Companion Case GPA-SM-3-21-8)- OPPOSE

Dean Chiarelli, Mobile phone 702-994-8077

Dean Chiarelli, MA, RDN, CEP, CHES, REHS
Clinical Assistant Professor
Edson College of Nursing and Health Innovation
Arizona State University
500 North 3rd Street | Phoenix, AZ 85004
Ph: 602.496.1867 | dean.chiarelli@asu.edu
https://nursingandhealth.asu.ed [nursingandhealth.asu.edu]



Enrique A Bojorquez-Gaxiola

From: H. Jewel Clark <hjewelclark@fastmail.com>
Sent: Tuesday, December 14, 2021 11:40 AM
To: Enrique A Bojorquez-Gaxiola
Subject: Re: Opposition to Cases GPA-SM-3-21-8 and Z-58-21-8 - SMVPC meeting Dec. 14, 2021

Hi Enrique,

Thank you! Here's my letter for Kimura.

Opposition to case Z-31-21-8, agenda item #6
I am writing in opposition to the Kimura Gardens development project (case number referenced above) and to request a continuance for the reasons stated here.

Despite the committee voting to approve the General Plan Amendment (case GPA-SM-2-21-8), both plans are overwhelmingly opposed by the surrounding community for the principal reason that the density is wholly inappropriate for our area in addition to issues of traffic, flooding, and heat island concerns that have not been addressed. Since the last committee meeting there have been other developments that keep the community opposed to the plan as submitted.

We've had some challenges in working with Withey Morris and Mr. Poulsen to find common ground.

The Vice Mayor is aware of the neighborhood's concerns and has arranged a meeting, which he will attend, for the neighbors and Mr. Poulsen/Withey Morris to talk through our outstanding issues with this development. That meeting is scheduled for Wednesday, Dec. 15. A continuance until such talks are complete is respectfully requested.

Sincerely,
Jewel Clark
2020 W. South Mountain Ave.
Phoenix, AZ 85041

--
H. Jewel Clark
hjewelclark@fastmail.com

On Tue, Dec 14, 2021, at 8:16 AM, Enrique A Bojorquez-Gaxiola wrote:

> Good morning Jewel,
>
> How are you? Thank you for sending over the following information on these two cases. I will save a copy in the case file and will share it with the South Mountain VPC as well.
>
> By the way, the Chair has agreed to hear your presentation tonight. I would anticipate maybe 2 minutes for the presentation, but she will assign the actual time to all speakers.

Racelle Escolar

From: Dean Chiarelli <Dean.Chiarelli@asu.edu>
Sent: Monday, January 3, 2022 5:24 PM
To: PDD Planning Commission
Subject: SMVPC Meeting January 6th - Opposition Notice

To South Mountain Village Planning Committee:

Re: Meeting Thursday, January 6th

I am strongly opposed to the items indicated below and request to speak.

Case numbers GPA-SM-3-21-8 and Z-58-21-8 (Agenda items 2 and 3).
Case numbers GPA-SM-2-21-8 and Z-31-21-8 (Agenda items 8 and 9).

I am opposed to the items because of excessive congestion on surface roads. The SMVPC is authorizing excessive approvals of rezoning in the area in tandem with a lack of new cultural amenities/ businesses to enhance quality of life in the area. The rural character of the area is rapidly changing for the worst, and this is against the City of Phoenix planning codes and Food Plan for South Phoenix. I respectfully request an updated traffic study which includes activity for homes currently under construction in the Dobbins Corridor. There are new homes along Dobbins Road from 16th Street all the way to the Loop 202 which aren't even built yet that will increase the congestion.

I also want to express concern the Chair of the Committee stated in the December 2021 meeting that she is a Realtor who grew up in South Phoenix. There is an appearance of bias towards approval of higher-density residential zoning for which the Chair may personally benefit.

Dean Chiarelli, MA, RDN, CEP, CHES, REHS
Clinical Assistant Professor
Edson College of Nursing and Health Innovation
Arizona State University
500 North 3rd Street | Phoenix, AZ 85004
Ph: 602.496.1867 | dean.chiarelli@asu.edu
https://nursingandhealth.asu.ed [nursingandhealth.asu.edu]

Racelle Escolar

From: Erin Hegedus <erinTKhegedus@hotmail.com>
Sent: Tuesday, January 4, 2022 5:47 PM
To: PDD Planning Commission; Council District 8 PCC; Adriana Garcia Maximiliano
Subject: GPA-SM-2-21-8 and Z-31-21-8

I am writing to request a continuance of the referenced. We have had very promising negotiations with the developer, however, we ask that a formal submission of the changes the developer agreed to be presented to the neighbor before this council votes.

Respectfully,

Erin Hegedus, CMRP
8630 South 19th Avenue
Phoenix, AZ 85041

Racelle Escolar

From: rob@copperstatemetals.com
Sent: Tuesday, January 4, 2022 8:49 AM
To: PDD Planning Commission
Subject: GPA-SM-2-21-8 and Z-31-21-8 items 8 and 9

4 JAN 2022

Honorable Planning Commission Members:

We are writing to voice our opposition to the Kimura development as it currently stands. Our concerns are the increase in traffic on streets which are already used beyond their capacity. By any definition, portions of South Mountain Ave. and 15th Ave. are only one lane and poorly maintained. Additionally the intersection of South Mountain and 19th Ave. is already dangerous and will only get worse with the addition of well over 100 homes in this development alone. We would also ask the Commission to consider the effect on the property values of the current residents. Most lots are 1/4 acre and more in the area, and most homes are well over 2200 sf as well as single story only. Allowing smaller homes on smaller lots will only exacerbate the current traffic and drainage issues in the area and negatively impact the property values of the established residents in order to allow the developers to make more money. This is not good for the community and it is not just. Thank you for your time and consideration.

Respectfully,

Robert D. Barnes
Geniveve R. Tapia

8312 S. 18th Lane
Phoenix, AZ 85041

Racelle Escolar

From: azleatherking <azleatherking@aol.com>
Sent: Tuesday, January 4, 2022 3:19 PM
To: PDD Planning Commission
Subject: Kimura project 19th ave

My name is Don Olson, and I own 8640 s 19ave, across the street from the proposed Kimura project. I am vehemently opposed to the density of homes being asked for by the developer. This area is ag/residential, and the infrastructure does not support what is here now, much less adding 150 houses.
GPA-sm-2-21-8
Z-31-21-8

Don olson 8640 s 19 ave, phx 85041
602 434 5641

Sent from my T-Mobile 4G LTE Device

Racelle Escolar

From: H. Jewel Clark <hjewelclark@fastmail.com>
Sent: Tuesday, January 4, 2022 6:01 PM
To: PDD Planning Commission
Subject: Letter of opposition GPA-SM-2-21-8 and Z-31-21-8 (Agenda items 8 and 9)

I am writing to oppose **GPA-SM-2-21-8 and Z-31-21-8 (Agenda items 8 and 9)** and request a continuance on both cases. The surrounding community is still in discussions with Mr. Poulsen and Withey Morris on final density and heat mitigation and the Vice Mayor has scheduled another meeting for us to try to finalize a plan that both the developer and the community can live with Jan. 13. Due to the holidays, it has not been feasible to arrange an earlier meeting since our last one Dec. 15.

The assertion you may hear from Withey Morris that they have been working with the neighbors on this project for a year is not accurate. Withey Morris started dialog with the broader community surrounding this property only in the Fall of 2021, with limited changes from the original plan submitted at the first SMVPC meeting.

For example, Adam Baugh included a timeline in his presentation to the South Mountain Village Planning Committee that read in part:

> "Proposed site plan developed through extensive outreach and input with surrounding residents, additional changes after November SMVPC due to input from on -site neighbor meeting and follow -up conversations."

The plan that was shown at the Dec. 14 SMVPC meeting was stamped by the City Planning Office Nov. 24, ***5 days before the first neighborhood meeting on-site that he references***. The changes on that plan were based on input from the SMVPC, NOT the neighborhood meeting or follow up conversations. The neighbors need to be included in whatever changes are made next.

The community would love to be done with this, but based on the last plan we have seen, it is simply not acceptable to the existing neighbors. However, I am optimistic we can find compromise.

South Mountain is under tremendous pressure from developers, and we are swiftly losing the rural character and agricultural practice that make it such a unique place to live. We have already bought our properties and built to preserve that open, rural sense of place. We want to work with developers interested in building here to create something that fits. We can make that happen but we need you to hold developers accountable to working in good faith with the existing community. We can do it, but we need more time. Please vote to continue.

Sincerely,
Jewel Clark
2020 W. South Mountain Ave.
Phoenix, AZ 85041

--
H. Jewel Clark
hjewelclark@fastmail.com

From: JoAnne Jensen <joannejensen@cox.net>
Sent: Tuesday, January 4, 2022 5:08 PM
To: PDD Planning Commission <pdd.planningcomm@phoenix.gov>
Cc: Adriana Garcia Maximiliano <adriana.garcia.maximiliano@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>
Subject: GPA-SM-2-21-8 and Z-31-21-8 / Kimura Gardens

Hello and thank you for taking my comments.

My name is JoAnne Jensen, our address is 8303 So. 17th Drive, Phoenix AZ 85041; this is in Magdalena Estates, which is to the immediate north of the parcel which the Providence group wishes to develop, and which is the subject of the two requests, named above.

I have been one of two points of contact between the South Mountain neighbors and the Providence group and thank Mr. Poulsen, Ben Tate, and Adam Baugh of the Providence group for their patient attention throughout our discussions.

It is important to note that these discussions are ongoing and in fact, the present stipulations are out of date with current conversations and likely agreements. What we need more than anything is a continuation so that we can maintain progress toward resolving our remaining differences.

If a continuation is not granted, then I cannot support the current stipulations, particularly the absence of robust heat mitigation measures and the presence of a high number of dwellings. To be very specific – this is not an objection to the development, or to a future agreement regarding stipulations, but solely to the current stipulations – density and absence of heat mitigation efforts.

General consensus within this community is that responsible development in the face of climate change and the proximity of the warmest location in Phoenix must necessarily include heat mitigation efforts. One might argue that heat mitigation efforts on one 50 acre development will make no difference – but this is the kind of argument which has led to today's problems with excessive heat and parching conditions. Absent sufficient stipulations, this plan is unacceptable.

Neighbors do not object to development, per se, however we feel it should be in keeping with the Rio Montana general plan, which was in place when we each decided to invest in this rural and agricultural part of town. There is a general sense that the concerns of current residents and business owners are being set aside to meet economic interests of the developer. We would not have objected to R1-18 zoning. Indeed, we would not have objected to R1-18 with bonus, which would have enabled 114 dwellings, as that is similar to the two adjacent developments, The Commons (which, incidentally, is also a Providence development) and Magdalena Estates. However, we do not support the building of 156 homes, as the stipulation currently reads. Mr. Poulsen and the Providence group have argued that they have been making many concessions – from two stories to one, from 180 units to 173 to 156, and these are appreciated. However, the neighbors likewise feel that density beyond R1-18 with bonus is a significant concession.

We are concerned that the last City traffic study in this area with in the 2012 – 2013 timeframe. Since then, quite a few homes have been built and we believe that the addition of this development at the currently requested density will lead to even more traffic congestion than we already experience. At present, the thoroughfares are woefully inadequate to support this level of growth and developers are required to improve only the lengths of pavement parallel to the development property line. We believe that the lack of uniformity will not be sufficient to provide safe and uncongested traffic flows on either 19th Avenue or South Mountain.

In summary – my primary request is that the Planning Commission issues a continuation for the two above-referenced requests so that the neighbors and the Providence group can pursue ongoing discussions and come to a reasonable resolve. Again, we do not object to development, per se, but we request time to achieve this goal.

Thank you for your time and attention.

JoAnne Jensen
Cell – 480-213-6499
Email – joannejensen@cox.net

Racelle Escolar

From: Steven & Rebekah Higginbotham <steven.rebekah.hz@gmail.com>
Sent: Tuesday, January 4, 2022 4:14 PM
To: PDD Planning Commission; Council District 8 PCC; adriana.garcia.maximilliano@phoenix.gov
Subject: I support continuance for cases Z-31-21-8 and GPA-SM-2-21-8

I live near 19th Avenue and South Mountain and I support continuance for cases Z-31-21-8 and GPA-SM-2-21-8 (aka Kimura Gardens) on the following grounds: discussions between discussions between the community and the developers are ongoing and the currently submitted stipulations are not only inconsistent with those conversations but also inadequate for the safety and quality of life of this community.

Best,
Rebekah

Racelle Escolar

From: Ravi Sharma <ravi6161sharma@gmail.com>
Sent: Tuesday, January 4, 2022 5:03 PM
To: PDD Planning Commission
Cc: Council District 8 PCC; adriana.garcia.maximilliano@phoenix.gov
Subject: Item # 2 and Case # GPA-SM-3-21-8, Item #3 and Case # Z-58-21-8, Item # 8 and Case #GPA-SM-2-21-8 (Continued from 12/2/2021), Item # 9 and Case #

Z-31-21-8 (Continued from 12/2/2021)

We are opposed to the proposed changes.

Dr. Ravi and Mrs. Snigdha Sharma

Racelle Escolar

From: Steven Higginbotham <steven.w.higginbotham@gmail.com>
Sent: Tuesday, January 4, 2022 4:14 PM
To: PDD Planning Commission; Council District 8 PCC; adriana.garcia.maximilliano@phoenix.gov
Subject: I support continuance for cases Z-31-21-8 and GPA-SM-2-21-8

I live near 19th Avenue and South Mountain and I support continuance for cases Z-31-21-8 and GPA-SM-2-21-8 (aka Kimura Gardens) on the following grounds: discussions between discussions between the community and the developers are ongoing and the currently submitted stipulations are not only inconsistent with those conversations but also inadequate for the safety and quality of life of this community.

--
Steven Higginbotham



TD RANCH

January 4, 2022

Mr Vice Mayor Garcia
Cc:Mayor Kate Gallego
CC;Planning commission

RE: Z-31-21 GPA-SM-2-21.
Z-58-21-8 GPA-SM-3-21-8 and Z-71-21-8
GPA-SM-4-21-8

Dear Sir and all,

We wanted to contact you further with our thoughts on the developments that have been proposed that surround our property on three sides. Thank you for your time and "listening" meetings. It appears you have made sincere efforts to understand our community and its true needs. Reflecting on your comments in regards to need for infrastructure funding and support by developers and the balance with our community and "your constituents" opposition.
Clearly you can see these projects are wrong in concept, wrong in vision and complicate the stress that already exists on environment and water. Arizona in general is filled with this type of uninspired walled in "stick built" trailer parks . This area in particular had a plan in place for the type of development and zoning that reflects a blend of development and community .
It is your job and planning persons to be true advocates for your constituents.
Not the carpetbaggers with a slick lawyer that come into agricultural communities create the blight they blindly build and move on forever removing viable fertile land available to agriculture. The innovative Zach Brooks and the Worm Farm represent a future with exciting use and possibilities in agriculture. We urge you and all decision makers to take a stand for the future and our community by sending these developers a "NO SALE" notice.
If zoning is allowed to be changed on all 3 projects, our lives and negative impact will set the table for complete destruction of agriculture within the city limits. These type of developers should be encouraged by the mayor and city to move to inner city blighted lots and build and make it a win win for both. These projects do not represent the highest and best use nor do they address the high demand for quality of life balanced with innovative housing solutions and should be denied out of hand.

Sincerely yours,

Ted and Dianne Olivo

CONTACT

8804 S 19TH AVE PHOENIX AZ 85041, 617-645-8591 TDRANCH@ICLOUD.COM

Attachment F

REPORT OF PLANNING COMMISSION ACTION
January 6, 2022

ITEM NO: 9	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	Z-31-21-8 (Continued from 12/2/2021)
Location:	Southeast corner of 19th Avenue and South Mountain Avenue
From:	S-1
To:	R1-10
Acreage:	49.52
Proposal:	Single-family detached residential community
Applicant:	Providence Homes
Owner:	Newcastle Development, LLC
Representative:	Benjamin Tate, Withey Morris, PLC

ACTIONS:

Staff Recommendation: Approval, per the Addendum B Staff Reports.

Village Planning Committee (VPC) Recommendation:
South Mountain 11/9/2021 Continued to December 14, 2021. Vote: 9-2.
South Mountain 12/14/2021 Approval, per the Addendum A Staff Report with a modified stipulation. Vote: 7-3 (1 abstained).

Planning Commission Recommendation: Approval, per the Addendum B Staff Report with an additional stipulation.

Motion Discussion: N/A

Motion details: Commissioner Busching made a MOTION to approve Z-31-21-8, per the Addendum B Staff Report, with the additional stipulation as read into the record.

Maker: Busching
Second: McCabe
Vote: 8-0
Absent: Shank
Opposition Present: Yes

Findings:

1. This proposed development provides a housing option that is consistent with development patterns in the general area.

2. As stipulated, the proposed development is generally consistent with design policies and the intent of the Rio Montaña Area Plan.

3. This proposed development is appropriately located along an arterial street, 19th Avenue, which connects to Baseline Road where transit service is present.

Stipulations:

1. The development shall be in general conformance with the site plan date stamped ~~November 2, 2021~~ ~~NOVEMBER 24, 2021,~~ JANUARY 6, 2022, as modified by the following stipulations and approved by the Planning and Development Department with specific regard to the following:

    a. Lots 1 through 28 shall be a minimum of 75 feet in width.

    b. All other lots shall be a minimum of ~~55~~ 60 feet in width.

    c. Portions of lots 28 and 29 may be modified to accommodate any required canal frontage standards.

    d. The location of the open space areas.

    e. A minimum of ~~17~~ 16 percent of the gross site area shall be provided as open space.

    f. A minimum building setback of 150 feet, exclusive of fencing or entry features, shall be provided along the western perimeter property line along 19th Avenue.

2. The required landscape setbacks shall be planted with minimum 50-percent 2-inch caliper and 50-percent 3-inch caliper large canopy drought-tolerant trees, 20 feet on center or in equivalent groupings, with five 5-gallon shrubs per tree, as approved by the Planning and Development Department.

3. The maximum building height shall be limited to ~~two stories and 30 feet, except that lots 1 through 53, 82, 83, 108, 109, 159 and 160 as depicted on the site plan date stamped November 2, 2021, shall be limited to~~ one story and ~~20~~ 22 feet.

4. All lots within the development shall be subject to Single-Family Design Review, including 75-foot wide lots, as approved by the Planning and Development Department.

5. Building elevations shall be developed to the following standards, as approved by the Planning and Development Department:

    a. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco, or other materials to provide a decorative and aesthetic treatment.

    b. A minimum of 50 percent of the elevations for each floor plan shall provide a covered front porch in the front yard with a minimum of 60 square feet in area at a depth of at least six feet. No porch shall terminate within the plane of a door or window.

    c. Pitched roofs shall be provided on all building elevations.

6. The development shall be in general conformance with the fencing exhibit (landscape plan) and elevations date stamped October 14, 2021, as modified by the following stipulations and approved by the Planning and Development Department.

    a. Full open view fencing shall be utilized where an open space tract is adjacent to a canal.

    b. Where view fencing is required by the Zoning Ordinance, a combination of solid masonry wall and view fencing may be utilized. The solid portion of the wall shall not exceed 4 feet in height.

    c. Perimeter walls bounding the rear yard property lines of residential lots along South Mountain Avenue shall include minimum 3-foot offsets.

    d. Perimeter walls bounding the rear yard property lines of residential lots along South Mountain Avenue shall be limited to a maximum of 5 feet solid and topped with open view fencing, as approved by the Planning and Development Department.

7. Project entry drives along 19th Avenue and South Mountain Avenue shall be constructed of decorative pavers, stamped or colored concrete, or similar alternative material, as approved by the Planning and Development Department.

8. Project entry drives shall incorporate enhanced landscaping on both sides planted with a variety of at least three plant materials, as approved by the Planning and Development Department. Each landscaped area shall be a minimum of 250-square feet.

9. A minimum system of pedestrian connections shall be provided, as described below and as approved by the Planning and Development Department:

    a. A system of pedestrian connections to/between via the most direct route:

        (1) Amenity areas.

        (2) Sidewalks.

        (3) Pedestrian path connecting the northern and southern portions of the site via a centralized pathway.

        (4) The common open space tract along the southeast corner of 19th Avenue and South Mountain Avenue shall contain a minimum 8-foot wide pedestrian pathway that connects the development with the sidewalk at 19th Avenue or South Mountain Avenue near the street intersection. This pathway shall be constructed of decomposed stabilized granite, decorative pavers, stamped or colored concrete, or similar alternative material. The landscaped tract shall contain minimum 2-inch caliper shade trees planted a minimum of 25 feet on center or equivalent groupings, along both sides of the pedestrian pathway.

        (5) A minimum 8-foot wide pedestrian pathway shall connect the development with the multi-use trail along the Western Canal. This pathway shall be provided within an average 30-foot wide landscape

tract and constructed of decomposed stabilized granite, decorative pavers, stamped or colored concrete, or similar alternative material.

(6) THE DEVELOPER SHALL PROVIDE ~~A~~ PEDESTRIAN ACCESS ~~GATE~~ TO THE WESTERN CANAL ALONG THE SOUTHEASTERN PROPERTY LINE AND ~~A~~ PEDESTRIAN ~~GATE~~ ACCESS ALONG BOTH 19TH AVENUE AND SOUTH MOUNTAIN AVENUE. THE PEDESTRIAN ~~GATES~~ ACCESS SHALL BE CONNECTED TO THE INTERNAL PEDESTRIAN PATHWAYS BY ACCESSIBLE SIDEWALKS.

10. No more than 50 percent of the landscape areas within common areas or 10 percent of the net development area whichever is less, should be planted in turf or high-water use plants. Turf areas should be located only in the common open space areas, including retention basins, as approved by the Planning and Development Department. This requirement does not apply to landscaping located within private yards on individual lots.

11. ~~The following minimum shall be provided and dispersed throughout the development, as approved by the Planning and Development Department:~~ OPEN SPACE AREAS SHALL BE IN GENERAL CONFORMANCE WITH THE LANDSCAPE PLAN DATE STAMPED ~~NOVEMBER 24, 2021,~~ JANUARY 6, 2022, AS MODIFIED BY THE STIPULATIONS AND INCORPORATING THE FOLLOWING AMENITIES, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARMTENT:

a. Tot lot with shade equipment;

b. Two picnic areas each with a barbeque grill, shade ramada and a picnic table;

c. Four benches or seating features; and

d. Garden amenity of no less than a combined 1,000 square feet in size.

12. All sidewalks along 19th Avenue shall be detached with a landscape strip located between the sidewalk and back of curb following the most recent Cross Section of the Street Classification Map and planted to the following standards, as approved by the Planning and Development Department.

a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 25 feet on center or in equivalent groupings that provide shade to a minimum 75 percent AT MATURITY.

b. Drought tolerant vegetation to achieve 75 percent live coverage AT MATURITY.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

13. All sidewalks along South Mountain Avenue shall be detached with a minimum five-foot wide landscape strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.

a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 25 feet on center or in equivalent groupings that provide shade to a minimum 75 percent AT MATURITY.

b. Drought tolerant vegetation to achieve 75 percent live coverage AT MATURITY.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

14. The developer shall dedicate a 30-foot wide multi-use trail easement (MUTE) along the east side of 19th Avenue and construct a minimum 10-foot wide multi-use trail (MUT) within the easement in accordance with the MAG supplemental detail, as approved by the Planning and Development Department. The developer shall work with the Site Planning section on an alternate design for this requirement through the technical appeal process.

15. The developer shall dedicate minimum 50 feet of right-of-way and construct the east side of 19th Avenue, as approved by the Planning and Development Department.

16. The developer shall provide the following dedications and construct the south half of South Mountain Avenue in the following manner, as approved by the Planning and Development Department:

a. Thirty feet of right-of-way between 19th Avenue and 17th Drive.

b. Forty-four feet of right-of-way east of 17th Drive extending to the eastern boundary of the subject site.

17. The developer shall underground all existing overhead utility lines adjacent to the site.

18. The developer shall provide conduit and junction boxes at the southeast corner of 19th Avenue and South Mountain Road for future traffic signal equipment, as approved by the Street Transportation Department.

19. Existing irrigation facilities along 19th Avenue and South Mountain Avenue shall be undergrounded and/or relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish appropriate process to relocate facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.

20. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

21. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property within the development~~(s)~~ the existence and operational characteristics of agricultural ~~and farming activities~~ USES. THESE DOCUMENTS MUST ADVISE PURCHASERS THAT, UNDER SECTION 3-112(E), ARIZONA REVISED STATUES, THE CITY OF PHOENIX MAY NOT DECLARE AN AGRICULTURAL OPERATION CONDUCTED ON FARMLAND TO BE A NUISANCE IF THE AGRICULTURAL ACTIVITY USE IS LAWFUL, CUSTOMARY, REASONABLE, SAFE AND NECESSARY TO THE AGRICULTURE INDUSTRY. The form and content

of such documents shall be ~~according to the templates and instructions provided which have been~~ reviewed and approved by the City A~~ttorney~~ PRIOR TO RECORDATION.

22. PRIOR TO FINAL SITE PLAN APPROVAL, THE PROPERTY OWNER SHALL RECORD DOCUMENTS THAT DISCLOSURE TO PURCHASERS OF PROPERTY WITHIN THE DEVELOPMENT THE EXISTENCE AND OPERATIONAL CHARACTERISTICS OF THE PHOENIX REGIONAL POLICE ACADEMY GUN RANGE. THE FORM AND CONTENT OF SUCH DOCUMENTS SHALL BE REVIEWED BY THE CITY PRIOR TO RECORDATION.

~~22.~~ 23. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

~~23.~~ 24. The developer shall grant and record an avigation easement to the City of Phoenix Aviation Department for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.

~~24.~~ 25. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.

~~25.~~ 26. In the event archeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archeologist, and allow time for the Archeology Office to properly assess the materials.

27. THE DEVELOPER SHALL DEDICATE RIGHT-OF-WAY AND CONSTRUCT ONE BUS STOP PAD ALONG NORTHBOUND 19TH AVENUE TOWARDS THE SOUTH END OF THE SITE. THE BUS STOP PAD SHALL BE CONSTRUCTED ACCORDING TO CITY OF PHOENIX STANDARD DETAIL P1260 WITH A MINIMUM DEPTH OF 10 FEET.

28. **PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS FORM. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.**

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 495-5622, TTY use 7-1-1.

Attachment G

CITY OF PHOENIX
PLANNING AND DEVELOPMENT DEPARTMENT

FORM TO REQUEST PC to CC **I HEREBY REQUEST THAT THE CC HOLD A PUBLIC HEARING ON:**					
APPLICATION NO/ LOCATION	**GPA-SM-2-21-8 (Continued from 12/2/2021) and Z-31-21-8 (Continued from 12/2/2021)** Southeast corner of 19th Avenue and South Mountain Avenue	***(SIGNATURE ON ORIGINAL IN FILE)***			
		opposition	**x**	**applicant**	
APPEALED FROM:	PC January 6, 2022	2020 West South Mountain Avenue Phoenix, AZ 85041			
	PC DATE	*STREET/ADDRESS/CITY/STATE/ZIP*			
TO PC/CC HEARING	CC February 2, 2022	H. Jewel Clark 480-664-9436 hjewelclark@fastmail.com			
	CC DATE	*NAME / PHONE / EMAIL*			
REASON FOR REQUEST: Doesn't conform to 2015 General Plan for density and rural character. Splits contiguously zoned S-1 & R1-18 community. Does not preserve/enhance neighborhood character and certainty for existing community. Negotiations are ongoing between neighborhood and developer and approval as submitted is premature.					
RECEIVED BY:	Nayeli Sanchez	**RECEIVED ON:**		January 12, 2022	

Alan Stephenson	Vikki Cipolla-Murillo
Joshua Bednarek	Greg Harmon
Tricia Gomes	Samantha Keating
Racelle Escolar	Paul M. Li
Stephanie Vasquez	Village Planner
Diana Hernandez	GIS
David Urbinato	Applicant

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

CITY OF PHOENIX
JAN 12 2022
Planning & Development Department

The **PLANNING COMMISSION** agenda for **January 6, 2022** is attached.

The **CITY COUNCIL** may approve the recommendation of the Planning Commission without further hearing **unless**:

1. A **REQUEST FOR A HEARING** by the **CITY COUNCIL** is filed within seven (7) days.

   There is a $630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. **January 13, 2022**.

   Any member of the public may, within seven (7) days after the Planning Commission's action, request a hearing by the City Council on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m. **January 13, 2022**.

2. A **WRITTEN PROTEST** is filed, no later than seven (7) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the property by area and number of lots, tracts, and condominium units within the zoning petition area have signed the petition. The zoning petition area includes both the area of the proposed amendment, and the area within 150 feet of the proposed amendment, including all rights-of-way. For condominium, townhouse and other types of ownership with common lands, authorized property owner signatures are required. Please see Planning and Development Department Staff for additional information prior to gathering signatures.

   To require a three-fourths vote of the City Council for approval, a written protest for applications on this agenda must be filed with the Planning and Development Department by 5:00 p.m. **January 13, 2022**

   The Planning and Development Department will verify ownership by protestors to determine whether or not a three-fourths vote will be required.

3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an $830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. **January 20, 2022**.

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

GPA-SM-2-21-8 AND Z-31-21-8
APPLICATION NO.

SE corner of 19th Ave. & West South Mountain Ave.
LOCATION OF APPLICATION SITE

Jan 6, 2022
DATE APPEALED FROM

☒ OPPOSITION
☐ APPLICANT

Nayeli Sanchez Luna
PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

H. Jewel Clark
PRINTED NAME OF PERSON APPEALING

H. Jewel Clark
SIGNATURE

2020 W. South Mountain Ave.
STREET ADDRESS

Jan. 10, 2022
DATE OF SIGNATURE

Phoenix, AZ 85041
CITY, STATE & ZIP CODE

480.664.9436
TELEPHONE NO.

hjewelclark@fastmail.com
EMAIL ADDRESS

REASON FOR REQUEST
Doesn't confirm to 2015 General Plan for density and rural character. Splits contiguously zoned S-1 & R1-18 community. Does not preserve/enhance neighborhood character and certainty for existing community. Negotiations are ongoing between neighborhood and developer and approval as submitted is premature.

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

From:	Erin Hegedus
To:	Enrique A Bojorquez-Gaxiola; Council District 8 PCC; Arizona Republic; Helen Jewel Clark; mijosic@fastmail.fm; JoAnne Jensen; Dianne & Ted Olivo; steamboat332@msn.com; zach@zbrooks.com; Arizona Republic; AZleatherking@aol.com; Rebekah Higginbotham
Subject:	RE: City of Phoenix - Update on case Z-31-21-8
Date:	Thursday, January 6, 2022 9:18:23 PM
Attachments:	image001.png

I have to say I have not witnessed such obvious bias since I lived in the east coat.
Allowance for developers to speak
Commissioners asking developers how much time they needed and then offering citizens one minute.

I am very concerned regarding our council members and the entre planning commission that seems to support developers and have no respect to our citizens

Sent from Mail [go.microsoft.com] for Windows

From: Enrique A Bojorquez-Gaxiola <enrique.bojorquez-gaxiola@phoenix.gov>
Sent: Thursday, January 6, 2022 4:53:10 PM
To: Enrique A Bojorquez-Gaxiola <enrique.bojorquez-gaxiola@phoenix.gov>
Subject: City of Phoenix - Update on case Z-31-21-8

Good afternoon,

How are you? I hope you are doing well. I am reaching out in regards to case Z-31-21-8, scheduled for tonight's Planning Commission (PC) meeting, to inform you that the applicant has submitted an updated site plan and landscape plan for this project. Staff has drafted an updated report (**Addendum B – please see attached**) that reflects updates to the stipulations on the case that were approved by the South Mountain Village Planning Committee in December of 2021.

This report will also be presented to the Planning Commission (PC) ahead of tonight's meeting, in addition to correspondence from the public received on this case.

Please let me know if you have any questions about this report.

Thank you very much,

Enrique Bojórquez Gaxiola
Planner III
City of Phoenix
Planning & Development Department
Long Range Planning Division
200 W. Washington Street
Phoenix, AZ 85003
Office: (602) 262-6949