City of Phoenix

Agenda
City Council Formal Meeting

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

Wednesday, June 2, 2021 **2:30 PM** **phoenix.gov**

*****REVISED June 1, 2021*****
Item Requested to be Continued: 95

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=e17a55dabb6a5a642e2181398f1bf92e2

- 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 182 370 8010# (for English) or 182 235 7584# (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 182 235 7584#. 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 182 235 7584 #). Se proporciona interpretación simultánea para nuestros residentes durante todas las reuniones.

CALL TO ORDER AND ROLL CALL

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BOARDS AND COMMISSIONS

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9	**John C Kliethermes doing business as KW Construction LLC**
10	**Concept Development Corporation**
11	**SecureLink, Inc.**
12	**LN Curtis & Sons doing business as Curtis Blue Line**
13	**ZOLL Medical Corporation**

14 **National Tactical Officers Association**

15 **Leeds Precision Instruments, Inc.**

16 **Settlement of Claim(s) Lee v. City of Phoenix**

17 **Settlement of Claim(s) Balyan v. City of Phoenix**

18 **Ametek Arizona Instrument LLC dba Ametek Brookfield**

19 **Bureau of Reclamation**

20 **Noregon Systems, Inc.**

21 **U.S. Environmental Protection Agency**

22 **Maricopa County Air Quality Department**

23 **Arizona Department of Environmental Quality**

24 **Cubic Corporation and Subsidiaries doing business as Cubic ITS, Inc.**

25 **Rummel Construction, Inc.**

26 **City of Buckeye**

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REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

000 CITIZEN COMMENTS

ADJOURN

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 1

For Approval or Correction, the Minutes of the Formal Meeting on March 18, 2020

Summary

This item transmits the minutes of the Formal Meeting of March 18, 2020, for review, correction and/or approval by the City Council.

The minutes are available for review in the City Clerk Department, 200 W. Washington St., 15th Floor.

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 2

For Approval or Correction, the Minutes of the Formal Meeting on April 1, 2020

Summary

This item transmits the minutes of the Formal Meeting of April 1, 2020, for review, correction and/or approval by the City Council.

The minutes are available for review in the City Clerk Department, 200 W. Washington St., 15th Floor.

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 3

Mayor and Council Appointments to Boards and Commissions

Summary

This item transmits recommendations from the Mayor and Council for appointment or reappointment to City Boards and Commissions.

Responsible Department

This item is submitted by the Mayor's Office.

ATTACHMENT A

City of Phoenix

To: City Council **Date:** June 2, 2021

From: Mayor Kate Gallego

Subject: BOARDS AND COMMISSIONS – APPOINTEES

The purpose of this memo is to provide recommendations for appointments to the following Boards and Commissions:

Fire Safety Advisory Board

I recommend the following for appointment:

Gurvinder Aujla
Mr. Aujla is the President of the Aujla Group. He fills the Petroleum Industry vacancy for a term to expire June 2, 2025.

Mayor's Human Trafficking Task Force

I and Councilman Jim Waring recommend the following for appointment:

Rosemary Wilson
Ms. Wilson is a retired psychiatrist and paramedic.

Neighborhood Block Watch Fund Oversight Committee

Councilwoman Debra Stark recommends the following for appointment:

Jeff Tisot
Mr. Tisot is the President of the East Sunnyslope Neighborhood Association and Block Watch and a resident of District 3. He fills a vacancy for a term to expire August 31, 2022.

Paradise Valley Village Planning Committee

Councilman Jim Waring recommends the following for appointment:

Patricia Diane Petersen
Ms. Petersen is a Speech and Language Pathologist at the Paradise Valley Unified School District and a resident of District 2. She fills a vacancy for a term to expire November 19, 2022.

Phoenix Business and Workforce Development Board

I recommend the following for appointment:

John Soto
Mr. Soto is a Program Manager at the DES Workforce Development Administration and a resident of District 5. He replaces Edward Abramowitz as the Department of Economic Security Title III Employment Services representative and will fulfill his term to expire June 30, 2023.

Rio Vista Village Planning Committee

Councilwoman Ann O'Brien recommends the following for appointment:

Chris Gonzalez
Mr. Gonzalez is a Senior Loan Officer at All Western Mortgage, Inc. and a resident of District 1. He fills a vacancy for a term to expire November 19, 2022.

Scott Lawrence
Mr. Lawrence is the Vice President of Bluestone Capital Management LLC and a resident of District 1. He fills a vacancy for a term to expire November 19, 2022.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 4

Liquor License - The Mexicano

Request for a liquor license. Arizona State License Application 148349.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
4801 E. Cactus Road
Zoning Classification: C-2 PCD
Council District: 3

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 June 12, 2021.

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:
"We are very strict with our liquor service policies. We train all of our employees in responsible liquor service and conduct regular audits to ensure they comply."

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 the ability of offer our patrons an adult beverage with their meal if they choose to have one."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - The Mexicano
Liquor License Map - The Mexicano

Responsible Department
This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: THE MEXICANO

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	0
Bar	6	2	1
Beer and Wine Bar	7	1	0
Liquor Store	9	4	2
Beer and Wine Store	10	8	2
Hotel	11	1	1
Restaurant	12	27	15

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	44.37	71.76	97.87
Violent Crimes	8.14	4.77	6.68

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

Property Violation Data

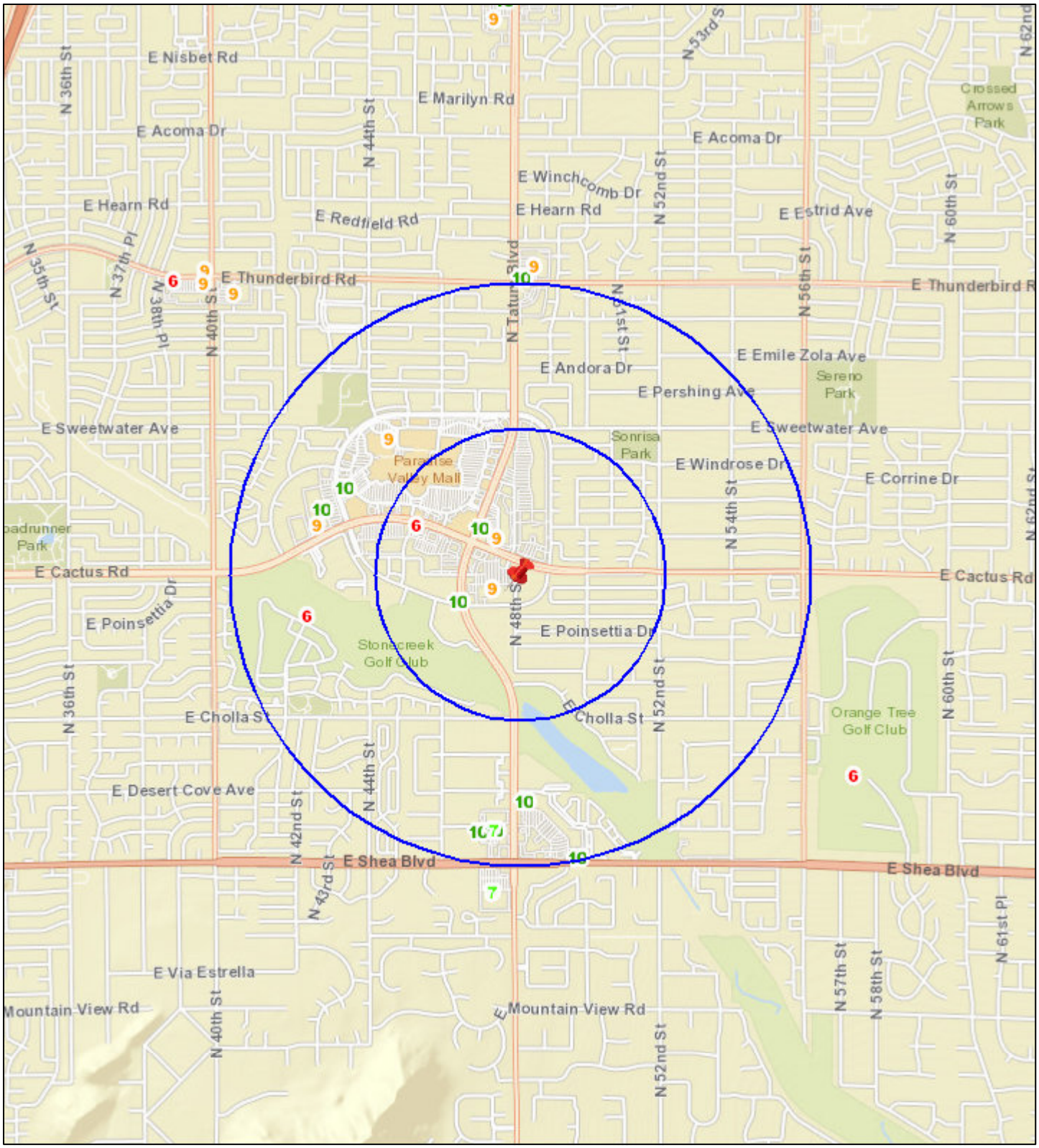
Description	Average	1/2 Mile Average
Parcels w/Violations	55	32
Total Violations	89	39

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1032051	1834	100 %	6 %	0 %
1032052	1192	82 %	0 %	16 %
1032081	1605	97 %	10 %	12 %
1032082	1548	38 %	36 %	18 %
1032083	885	93 %	10 %	0 %
1032091	804	74 %	0 %	24 %
1032092	970	69 %	24 %	27 %
1032093	1766	93 %	17 %	2 %
1032106	886	23 %	22 %	7 %
Average		61 %	13 %	19 %

Liquor License Map: THE MEXICANO

4801 E CACTUS RD



N

Date: 5/10/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 5

Liquor License - Smashers Eats

Request for a liquor license. Arizona State License Application 148319.

Summary

Applicant
Kevin Babcock, Agent

License Type
Series 12 - Restaurant

Location
16816 N. Cave Creek Road
Zoning Classification: C-2
Council District: 3

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 June 12, 2021.

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 have held liquor licenses in Nevada for aprox. 4 years, with out incident. We are trained and understand how to safely serve the public."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We will serve mostly food in our establishment with the option to have an alcoholic beverage with a meal. We have purchased and are taking over an existing restaurant that has an existing Series 12 liquor license."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Smashers Eats
Liquor License Map - Smashers Eats

Responsible Department
This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: SMASHERS EATS

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	3	1
Beer and Wine Bar	7	2	2
Liquor Store	9	6	1
Beer and Wine Store	10	9	4
Restaurant	12	15	7

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	44.37	89.43	132.90
Violent Crimes	8.14	17.91	20.27

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

Property Violation Data

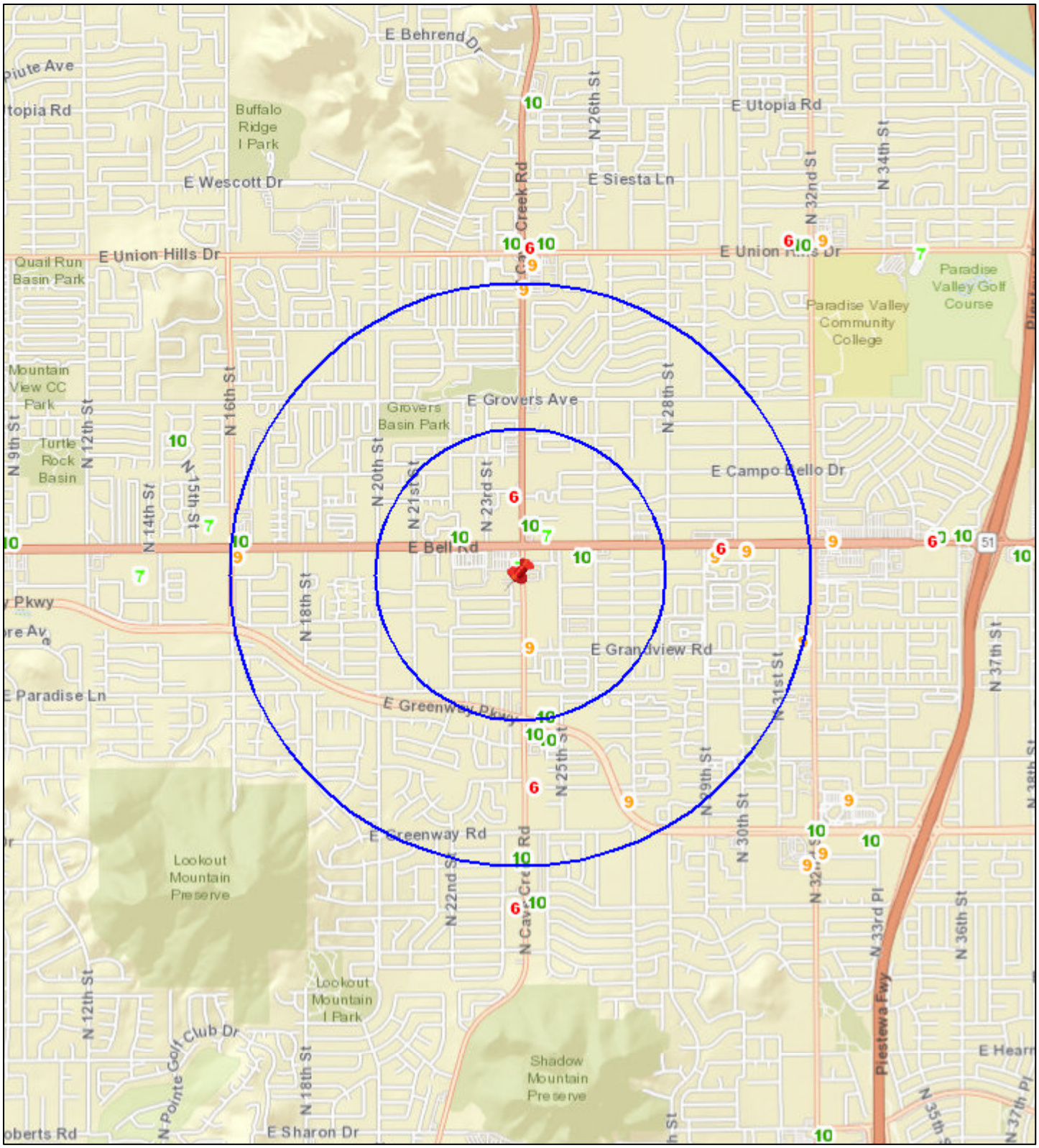
Description	Average	1/2 Mile Average
Parcels w/Violations	55	61
Total Violations	89	111

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1033051	1180	47 %	29 %	35 %
1033052	2333	59 %	9 %	30 %
1033061	921	18 %	28 %	32 %
1036061	1067	84 %	15 %	13 %
1036063	2174	78 %	13 %	25 %
6194001	1068	54 %	32 %	9 %
6194002	1484	18 %	18 %	8 %
6195003	2362	65 %	14 %	8 %
Average		61 %	13 %	19 %

Liquor License Map: SMASHERS EATS

16816 N CAVE CREEK RD



N

Date: 4/15/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 6

Liquor License - Ainsworth Phoenix

Request for a liquor license. Arizona State License Application 148384.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
3 S. 2nd St., Ste. 117
Zoning Classification: DTC - Business Core
Council District: 7

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 June 13, 2021.

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
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.

McFadden's Restaurant & Saloon (Series 6)
9425 W. Coyotes Blvd., Bldg H, Glendale
Calls for police service: N/A - not in Phoenix
Liquor license violations: In Aug. 2018, a fine was paid for allowing an underage person on the premises without a parent. In Nov. 2019, a fine was paid for having a person take or solicit orders for spirituous liquors who was not a licensed salesperson.

Lola (Series 6)
6770 N. Sunrise Blvd., Glendale
Calls for police service: N/A - not in Phoenix
Liquor license violations: In Oct. 2019, a fine was paid for purchasing alcohol from other than a primary source.

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 are very strict with our liquor service policies. We train all of our employees in responsible liquor service and conduct regular audits to ensure they comply."

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 the ability to offer our patrons an adult beverage with their meal if they choose to have one."

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 - Ainsworth Phoenix

Liquor License Map - Ainsworth Phoenix

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: AINSWORTH PHOENIX

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	2	0
Wholesaler	4	1	1
Government	5	8	5
Bar	6	40	23
Beer and Wine Bar	7	11	6
Liquor Store	9	3	2
Beer and Wine Store	10	9	1
Hotel	11	7	5
Restaurant	12	78	35
Club	14	3	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	44.37	142.70	178.98
Violent Crimes	8.14	38.80	43.84

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

Property Violation Data

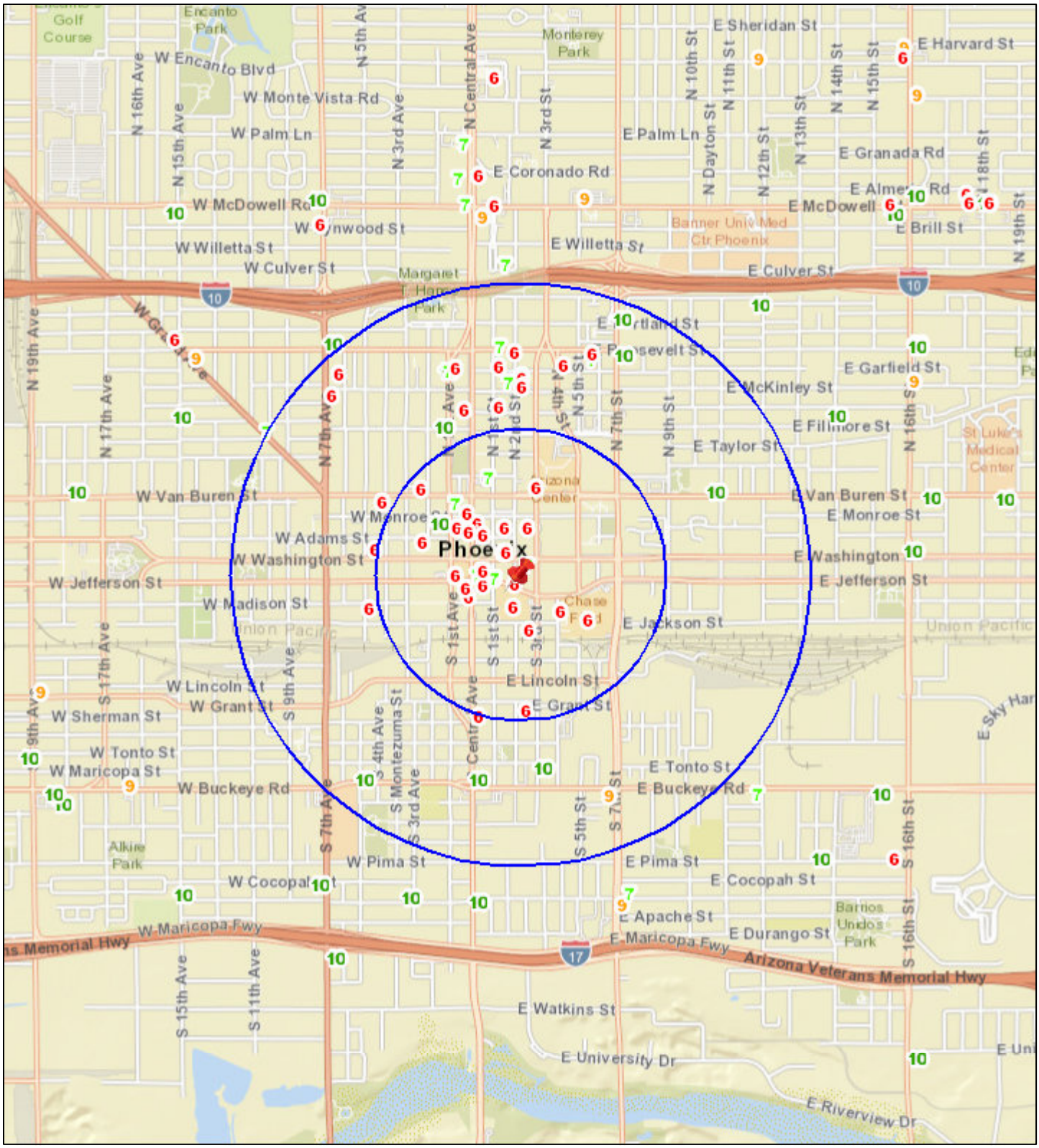
Description	Average	1/2 Mile Average
Parcels w/Violations	55	36
Total Violations	89	58

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1131001	1015	7 %	8 %	28 %
1131002	1242	3 %	7 %	33 %
1132022	1257	47 %	29 %	55 %
1140001	1831	25 %	20 %	47 %
1140002	78	77 %	0 %	32 %
1141001	2299	16 %	37 %	44 %
1142001	1321	36 %	22 %	50 %
Average		61 %	13 %	19 %

Liquor License Map: AINSWORTH PHOENIX

3 S 2ND ST



N

Date: 4/16/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 7

Liquor License - Bacanora

Request for a liquor license. Arizona State License Application 148026.

Summary

Applicant
Rene Andrade Jr., Agent

License Type
Series 12 - Restaurant

Location
1301 Grand Ave. #1
Zoning Classification: C-3 HP SP ACOD
Council District: 7

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 June 6, 2021.

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.

Tacos Chiwas (Series 12)
1923 E. McDowell Road, Phoenix
Calls for police service: 3
Liquor license violations: In Aug. 2018, a fine of $750.00 was paid for selling without a license and on sale retail personnel records.

Tacos Chiwas (Series 12)
127 W. Main St., Mesa
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

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 been working on this industry 15 + years have help the comunity to be a bletter place."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"It willo bring nore busness to this side of town also more opportunity for othet people to have more jobs open in this comunity."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Bacanora
Liquor License Map - Bacanora

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: BACANORA

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	3	1
Government	5	3	0
Bar	6	12	3
Beer and Wine Bar	7	3	1
Liquor Store	9	1	1
Beer and Wine Store	10	9	2
Hotel	11	1	0
Restaurant	12	27	4
Club	14	1	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	44.37	106.18	96.92
Violent Crimes	8.14	36.19	32.16

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

Property Violation Data

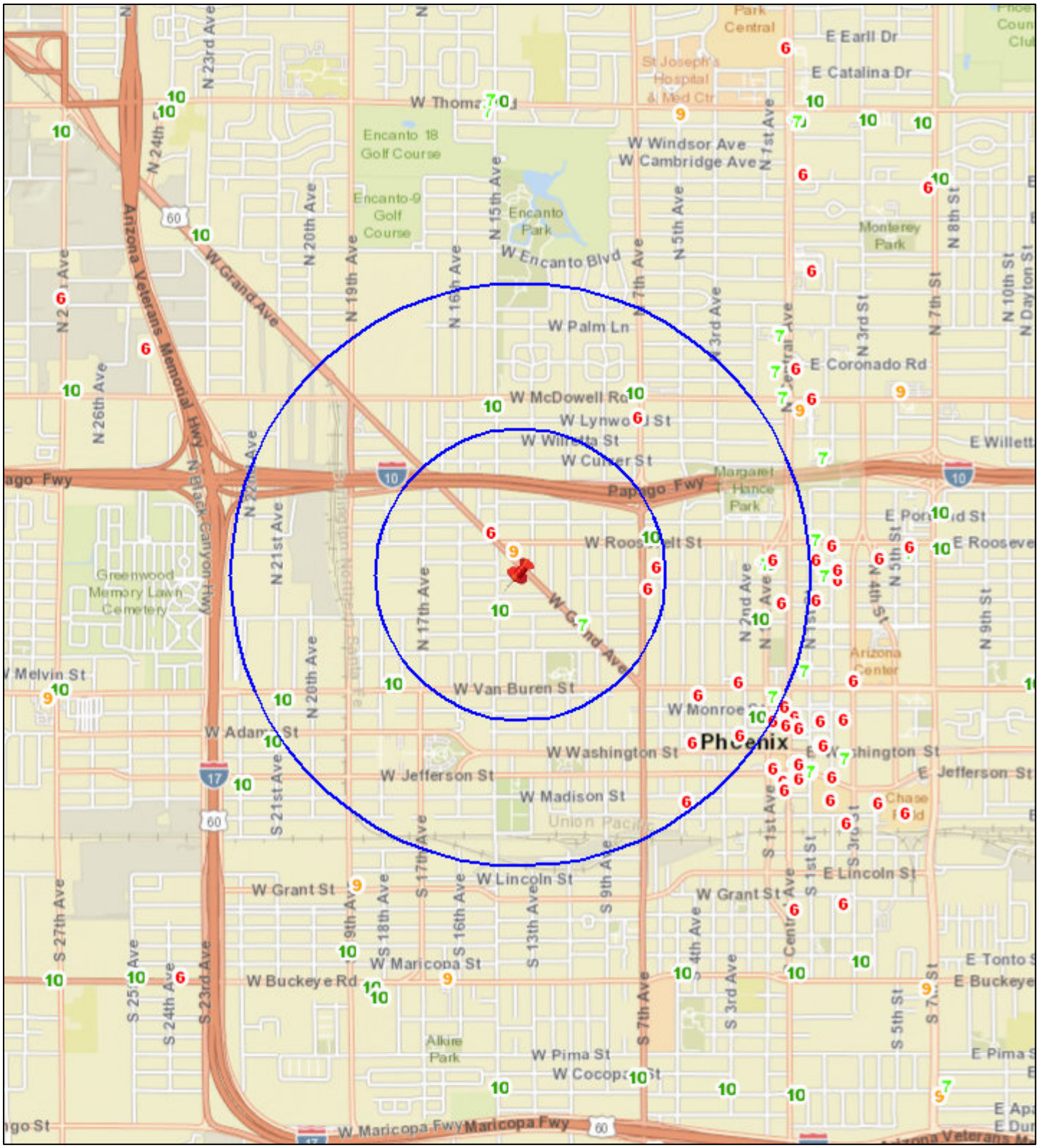
Description	Average	1/2 Mile Average
Parcels w/Violations	55	329
Total Violations	89	588

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1129001	1670	70 %	4 %	19 %
1129002	815	37 %	22 %	24 %
1129003	1372	4 %	18 %	40 %
1129004	1325	47 %	24 %	52 %
1130001	1218	23 %	16 %	11 %
1131001	1015	7 %	8 %	28 %
1143011	1389	22 %	15 %	57 %
Average		61 %	13 %	19 %

Liquor License Map: BACANORA

1301 GRAND AVE



N

Date: 4/8/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

PAYMENT ORDINANCE (Ordinance S-47590) (Items 8-28)

Ordinance S-47590 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.

8 **K.M. Facility Services, LLC**

For $25,000.00 in payment authority for a one-time purchase of commercial cleaning services for the Aviation Department. The qualified vendor will clean an estimated 3,000-square-foot commercial restaurant kitchen at the temporarily closed Deer Valley Airport Restaurant. The scope of work will include cleaning and degreasing of all kitchen and food preparation surfaces to meet current industry health and safety standards.

9 **John C Kliethermes doing business as KW Construction LLC**

For $17,376.00 in payment authority to pay for repairs to a portion of the Echo Canyon Trailhead perimeter fence for the Parks and Recreation Department. The fence was damaged by a private vehicle collision. Parks and Recreation staff contacted construction vendors who are on contract to locate the matching block and none were found. KW Construction constructed the original wall and had block to match.

10 **Concept Development Corporation**

For $16,000.00 in payment authority to purchase adaptors and accessories for the ICOR Mini Robot for the Police Department. The equipment will be used by the Homeland Defense Bureau's (HDB) bomb squad technicians to remotely and safely dispose of suspected

improvised explosive devices. The items are small, light, and portable and will enhance interoperability, allowing bomb squad technicians to rapidly respond to incidents. Similar items are being used by other bomb squads in the valley and Concept Development Corporation is the only vendor who provides custom mounting kits that are interchangeable with the mini-caliber robot already in use by the HDB. The purchase will be funded by the FY 2020 State Homeland Security Grant Program Explosive Ordnance Disposal Enhancement Grant.

11 **SecureLink, Inc.**

For $23,285.00 in additional payment authority for software upgrades, maintenance and support of the SecureLink Enterprise license subscription, for the Police Department. SecureLink encrypts all traffic protecting the City's sensitive information and provides a secure and reliable remote connection for vendors to connect to the Police Department's applications for support. Continuous maintenance and support are needed to keep the remote access secure and to protect the traffic flowing through the Police Department's computer network.

12 **LN Curtis & Sons doing business as Curtis Blue Line**

For $30,000.00 in payment authority for a new contract, entered on or about June 15, 2021 for a term of five years for Purple K dry chemicals for the Fire Department. Purple K dry chemical is a fire extinguishing agent required by the Federal Aviation Administration for the Code of Federal Regulations Part 139, Aircraft Rescue and Fire Fighting (ARFF). The product will be used by the ARFF fire trucks to put out fuel fires at Sky Harbor International Airport. The contract will be funded by the Aviation Department.

13 **ZOLL Medical Corporation**

For $40,083.00 in payment authority for the purchase of an X series manual monitor-defibrillator, warranty and maintenance services for the Police Department. The department's Emergency Medical Services staff responds to emergency calls which at times require the need for cardiopulmonary resuscitation, to resuscitate victims of sudden cardiac arrest in response to opioid overdose situations. This is a one-time purchase of the cardiac monitor equipment, which includes a maintenance service plan. The equipment will provide basic vital signs, perform 12 lead

electrocardiogram cardioversion and manual defibrillation diagnostic information on a patient and provide the information to the emergency care services. The purchase of the cardiac monitor equipment, accessories and maintenance service plan is vital and necessary for use on community members.

14 **National Tactical Officers Association**

For $17,611.00 in payment authority to purchase training for Rescue Task Force Instructor Certification for the Fire Department. The three-day training course will certify 20 instructors within the Phoenix region to instruct Rescue Task Force courses. The Rescue Task Force course is designed to teach students the four main methods of warm zone care during active violence incidents. The ability to teach and train public safety partners throughout the Phoenix Metropolitan region on Rescue Task Force response and methodology will ensure a continuous and consistent level of standardized training. The training has been approved by Federal Emergency Management Agency and will be funded through the 2016 Complex Coordinated Terrorist Attack Grant program.

15 **Leeds Precision Instruments, Inc.**

For $26,282.00 in payment authority for the one-time purchase of a one-year warranty for the continued support and maintenance of the Evofinder Scanner Automated Ballistics Identification System used by and for the Police Department. The Evofinder Scanner is a 3D digital bullet comparison scope system that aids the Department in the comparison of forensic evidence. The extended warranty will provide repair services and necessary software updates to the system.

16 **Settlement of Claim(s) Lee v. City of Phoenix**

To make payment of $425,000.00 in settlement of claim(s) in *Lee v. City of Phoenix*, 2:20-CV-02456-SMB, 20-0631-001, GL, BI, for the Finance Department pursuant to Phoenix City Code chapter 42. This is a settlement of a bodily injury claim arising out of a police incident on June 1, 2019.

17 **Settlement of Claim(s) Balyan v. City of Phoenix**

To make payment of $2,500,000.00 in settlement of claim(s) in *Balyan v.*

City of Phoenix, 18-0280-001, AU, BI, for the Finance Department pursuant to Phoenix City Code chapter 42. This is a settlement of bodily injury claim arising out of a police incident on March 11, 2018.

18 **Ametek Arizona Instrument LLC dba Ametek Brookfield**

For $50,000.00 in payment authority to purchase hazardous material mercury meters for the Fire Department. The mercury meters are used by the Fire Department's emergency response personnel at residential occupancies, education and medical facilities, or any location that mercury may be present and are at end of life. These are the only meters in the department's hazardous materials meter fleet that detect mercury. The hazardous materials meters are a critical part of the department's ability to identify dangerous substances and mitigate those hazards to protect the public and firefighters.

19 **Bureau of Reclamation**

For $55,000.00 in payment authority for the annual administrative fee for the Parks and Recreation Department for the Bureau of Reclamation's administrative costs associated with the agreement for the land use of the 1,200-acre Reach 11 Recreation Area.

20 **Noregon Systems, Inc.**

For $10,000.00 in additional payment authority for existing JPro Diagnostic Software licenses for the Public Works Department. The software is utilized by Public Works fleet technicians to diagnose heavy duty equipment including fire apparatus. The diagnoses information is used to identify needed repairs to ensure equipment is returned into service in a timely manner.

21 **U.S. Environmental Protection Agency**

For $113,000.00 in payment authority for reimbursement to the U.S. Environmental Protection Agency (USEPA) for oversight of the 19th Avenue Landfill for the Public Works Department. The payment request is necessary for the City to pay costs to the USEPA for compliance review and site inspections for the annual regulatory oversight process and the Five-Year Review.

22 **Maricopa County Air Quality Department**

For $118,000.00 for annual payment authority of various mandated regulatory environmental permit fees for the solid waste landfill sites and transfer stations for the Public Works Department. The department is responsible for the maintenance and operations of the landfills and transfer stations and must maintain various permits, pay user fees and to adhere to regulatory requirements mandated by the Maricopa County Air Quality Department.

23 **Arizona Department of Environmental Quality**

For $257,000.00 for annual payment authority of regulatory fees for the Public Works Department. The City operates and maintains one open landfill, five closed landfills and two transfer stations that must meet regulatory requirements as mandated by the Arizona Department of Environmental Quality (ADEQ). The ADEQ requires the City to pay several routine fees including landfill and transfer station registration fees, quarterly landfill fees, storm water permit fees, superfund program oversight fees, aquifer protection permit administration fees and financial assurance fees.

24 **Cubic Corporation and Subsidiaries doing business as Cubic ITS, Inc.**

For $95,000.00 in payment authority for a new contract to be entered on or about June 3, 2021 for a term of five years for Synchro software which models traffic signal operations, evaluates traffic flow and determines roadway capacity for the Street Transportation Department. The Synchro software is considered a standardized tool for traffic engineers and transportation planners within the transportation industry. The department already utilizes Synchro and the contract will ensure that the latest versions and enhancements to the software are upgraded annually.

25 **Rummel Construction, Inc.**

For $450,181.22 in additional payment authority for Agreement 153980, for Change Order 1, Project PW16810006-1 for SR85 Landfill Cell 1 Phase 5 Excavation and Liner Plan Design-Bid-Build Services for the Public Works Department. The Change Order is to cover a force majeure event that led to a significant increase in the cost of material due to adverse weather conditions that led to production delay and material shortages.

26 **City of Buckeye**

For $570,000.00 in payment authority for Contract 100744 to continue the operation of the City of Phoenix landfill within the City of Buckeye, for the Public Works Department. Payment of royalties is based on 7.5 percent of the gate revenue generated from solid waste received at each transfer station and disposed of at the SR85 Landfill in Buckeye. The Intergovernmental Agreement requires Phoenix to reimburse Buckeye for its solid waste collection and disposal fees paid on behalf of the prison adjacent to the SR85 Landfill.

27 **City of Mesa**

For $100,000.00 for annual payment authority for the water, wastewater, solid waste, and gas costs associated with the Val Vista Water Treatment Plant, including yearly maintenance and repair shutdown for the Water Services Department. During the shutdown, services are purchased from the City of Mesa for the site, including potable water, wastewater services, solid waste services for removing debris from the Salt River Project South Canal, and natural gas services to power standby generators.

28 **Veolia North America, Inc., doing business as Veolia Water North America Operating Services, LLC**

For $7,050,000.00 for annual payment authority for Contract 107745 from July 1, 2021, through June 30, 2022, for operating costs for the Lake Pleasant Water Treatment Plant for the Water Services Department. The water treatment plant came online in early 2007 and primarily serves the northwest area of the City. The City of Phoenix entered into a 15-year agreement for operation and maintenance of this facility, which is operational 24-hours-per-day, seven-days-per-week, to treat raw water, produce and supply finished water, and transport and dispose of plant by-products and operating wastes.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 29

Public Hearing on the 2021-26 Capital Improvement Program

As required by the City Charter, this item requests the City Council conduct a public hearing on the 2021-26 Capital Improvement Program for purposes of receiving public comments.

Responsible Department

This item is submitted by City Manager Ed Zuercher, Assistant City Manager Jeff Barton and the Budget and Research Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 30

Adoption of the 2021-26 Capital Improvement Program (Resolution 21928)

Request City Council approval of a resolution adopting a 2021-26 Capital Improvement Program (CIP) for the City of Phoenix. This resolution does not appropriate or commit any public funds, but represents an endorsement of the proposed capital improvements and the five-year plan of expenditure as a reasonable and desirable plan to be accomplished by the City. A five-year capital plan is considered a best financial practice.

Summary

The Five-Year CIP is a plan for the replacement, expansion and improvement of city infrastructure, facilities and technology used to deliver community services. It is financed from pay-as-you-go funds, property tax and revenue supported bond proceeds, federal and state participation funds, passenger facility charges, customer facility charges, participation by other governmental entities in certain projects, development impact fees, capital grants, capital reserves, solid waste remediation funds and other capital funding sources.

The Preliminary Five-Year CIP was presented to the City Council on March 16, 2021. The 2021-26 CIP proposed for adoption includes adjustments to reflect carryovers and known cost and resource changes.

The City Charter requires that the Five-Year CIP be adopted by resolution immediately following the advertised public hearing, which this year will take place at the Formal meeting on June 2, 2021.

Adoption of the resolution (**Attachment A**) does not commit any funds, but represents an endorsement of the CIP as a desirable plan to be accomplished over the next five years. The first year of the CIP is adopted by ordinance as part of the annual budget adoption process, which provides the only authority to commit funds.

Responsible Department

This item is submitted by City Manager Ed Zuercher, Assistant City Manager Jeff Barton and the Budget and Research Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED RESOLUTION

RESOLUTION #####

A RESOLUTION ADOPTING A 2021-26 CAPITAL IMPROVEMENT PROGRAM FOR THE CITY OF PHOENIX.

_____

WHEREAS the provisions of Section 18, Chapter XVIII, Phoenix City Charter require that the City Manager submit to the City Council a five-year capital improvement program; and

The City Manager having prepared a five-year program listing all capital improvements proposed to be undertaken during the next ensuing fiscal years beginning July 1, 2021 and ending June 30, 2026; and

Said programs having been submitted to the City Council and filed of record under the title "Preliminary 2021-2026 Capital Improvement Program," in the office of the City Clerk; and

A public hearing on the program having been held on June 2, 2021, at 2:30 p.m. at the Council Chambers of the City of Phoenix, 200 West Jefferson, Phoenix, Arizona; notice of the time, date and place of said hearing having been placed in the official City newspaper and posted on the official bulletin boards not less than two weeks prior to the hearings; and the City Council having considered all matters appropriate thereto;

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PHOENIX as follows:

SECTION 1. That the proposed five-year capital improvement program of all capital improvements to be undertaken by the City of Phoenix for the five next ensuing fiscal years commencing July 1, 2021, and consisting in general of the following items and amounts:

Program	Five-Year Total
Arts and Cultural Facilities	$902,000
Aviation	1,494,176,000
Economic Development	36,633,000
Environmental Programs	1,250,000
Facilities Management	97,439,000
Finance	8,000,000
Fire Protection	37,133,000
Historic Preservation & Planning	3,648,000
Housing	88,216,000
Human Services	600,000
Information Technology	58,961,000
Libraries	9,441,000
Neighborhood Services	14,056,000
Non-Departmental Capital	515,421,000
Parks, Recreation & Mountain Preserves	212,697,000
Phoenix Convention Center	32,019,000
Police Protection	52,412,000
Public Art Program	12,486,000
Public Transit	1,241,713,000
Regional Wireless Cooperative	30,005,000
Solid Waste Disposal	74,947,000
Street Transportation & Drainage	860,368,000
Wastewater	1,626,835,000
Water	1,739,120,000
Total	$8,248,478,000

All as is more explicitly set forth in the document entitled "2021-2026 Capital Improvement Program" and in a section of the document entitled "The 2021-

2022 Phoenix Detail Budget," to be submitted by the City Manager and filed with the City Clerk, is adopted as the capital improvement program of the City.

SECTION 2. The adoption of this program is a statement of present goals and objectives subject to actual annual appropriation by budget procedure and adoption and to expenditure by regular fiscal payment ordinance.

PASSED by the Council of the City of Phoenix this 2nd day of June, 2021.

_____

M A Y O R

ATTEST:

_____ City Clerk

APPROVED AS TO FORM:

_____ Acting City Attorney

REVIEWED BY:

_____ City Manager

DRAFT

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 31

Public Hearing on Adoption of the Tentative 2021-22 Annual Budget Ordinances

As required by the City Charter and State statute, this item requests the City Council conduct a public hearing on the adoption of the tentative 2021-22 Annual Budget ordinances (see **Attachments A and B** for additional information).

Responsible Department

This item is submitted by City Manager Ed Zuercher, Assistant City Manager Jeff Barton and the Budget and Research Department.

ATTACHMENT A

Adoption of the Annual Tentative 2021-2022 Budget Ordinances

This report provides backup information to items on the June 2, 2021 Council Formal agenda regarding adoption of the Tentative 2021-2022 Budget ordinances. These are the annual steps required by City Charter and State Law.

State law requires adoption of the annual Tentative Budget ordinances, followed by two consecutive weeks of publication of the adopted Tentative Budget in the legally prescribed format. Detailed budget schedules prepared on forms provided by the State Auditor General's Office in accordance with state law are attached to this report.

Adoption of the Tentative 2021-2022 budget ordinances requires the following:

1. Holding a public hearing

2. Adoption of the Tentative 2021-2022 Budget ordinance. This ordinance adopts the portion of the Tentative Budget financed from operating resources. It represents the 2021-2022 Budget approved by the City Council on May 18.

3. Adoption of the Tentative 2021-2022 Capital Funds Budget ordinance. This ordinance adopts the portion of the Tentative Budget financed from capital funds and is included in the first fiscal year of the 2021-2026 Capital Improvement Program.

4. Adoption of the Tentative 2021-22 Reappropriated Funds Budget ordinance. This budget ordinance is required to rebudget funds that were contractually committed in the prior fiscal year but not yet fully expended. Since budget appropriations expire on June 30 of each fiscal year, this ordinance re-establishes the appropriations for payment of vendors as goods and services are received.

   For example, on November 4, 2020, the City Council awarded a contract to Insituform Technologies, LLC to provide design-bid-build services in support of the Small Diameter Sanitary Sewer Rehabilitation 2020 project. The amount of the contract was $4,705,708, which was encumbered, or committed using the 2020-2021 Wastewater Capital funds budget appropriation. However, to-date payments on this contract have not yet occurred and will extend into fiscal year 2021-2022. The contract amount is included in the Reappropriated Funds ordinance to ensure the spending authority is in place for future payments made on this contract during the 2021-2022 fiscal year.

REMAINING STEPS

Following this action, the Tentative 2021-2022 Budget information will be advertised for two consecutive weeks in accordance with state law.

State law also requires adoption of the Final 2021-2022 Budget ordinances following the two weeks of advertised publications of the adopted Tentative Budget. The City Charter requires Council adopt the budget on or before the last day of June each year. As a

result, adoption of the Final 2021-2022 Budget is scheduled for the June 16, 2021 Council Formal meeting. The June 16, 2021 actions will include the Final 2021-2022 Budget ordinance, the Final 2021-2022 Capital Funds Budget ordinance, and the Final 2021-2022 Reappropriated Funds Budget ordinance. Both state law and the City Charter require holding public hearings prior to adoption of the Budget ordinances.

Also on the June 16, 2021 agenda there will be several items necessary to close out the current fiscal year and prepare for the annual independent audit. A separate City Council Report will be provided explaining these funding plan close-out items for the June 16, 2021 agenda.

The 2021-2022 Property Tax Levy will be brought forward for adoption on July 1, 2021, as state law requires this to occur at least 14 days after adoption of the Final Budget. The City Charter requires adoption of the Property Tax Levy no later than the last regularly scheduled meeting in July. Based on the May 18, 2021 City Council action, the levy will reflect a total property tax rate of $2.1196 per $100 of assessed valuation.

CITY OF PHOENIX, ARIZONA
Summary Schedule of Estimated Revenues and Expenditures/Expenses
Fiscal Year 2021-22
(In Thousands)

Fiscal Year		Sch	FUNDS						
			General Fund	Special Revenue Fund	Debt Service Fund	Capital Projects Fund	Enterprise Funds Available	Reappropriation Funds	Total All Funds
2021	Adopted/Adjusted Budgeted Expenditures/Expenses*	E	1,476,913	1,727,285	129,497	2,599,180	1,686,765	2,213,434	9,833,074
2021	Actual Expenditures/Expenses**	E	1,377,249	1,431,408	128,846	979,440	1,410,629	1,435,601	6,763,173
2022	Fund Balance/Net Position at July 1***		244,765	567,054	100	633,566	739,279	2,341,651	4,526,415
2022	Primary Property Tax Levy	B	191,294						191,294
2022	Secondary Property Tax Levy	B			119,289				119,289
2022	Estimated Revenues Other than Property Taxes	C	194,252	2,897,357	4,397	467,229	1,363,608		4,926,843
2022	Other Financing Sources	D	1,000	1,074	650	700,000	5,431		708,155
2022	Other Financing (Uses)	D							
2022	Interfund Transfers In	D	1,117,024	595,203	5,379	20,285	137,684		1,875,575
2022	Interfund Transfers (Out)	D	140,717	1,571,947		44,611	117,708		1,874,983
2022	Reduction for Amounts Not Available:								
LESS:	Amounts for Future Debt Retirement:								
	Future Capital Projects								
	Maintained Fund Balance for Financial Stability								
2022	Total Financial Resources Available		1,607,618	2,488,741	129,815	1,776,469	2,128,294	2,341,651	10,472,588
2022	Budgeted Expenditures/Expenses	E	1,607,618	2,206,494	129,714	1,157,566	1,682,695	2,341,651	9,125,738

EXPENDITURE LIMITATION COMPARISON	2021	2022
1. Budgeted expenditures/expenses	$ 7,619,640	$ 6,784,087
2. Add/subtract: estimated net reconciling items	(1,447,661)	1,451,623
3. Budgeted expenditures/expenses adjusted for reconciling items	6,171,979	8,235,710
4. Less: estimated exclusions		
5. Amount subject to the expenditure limitation	$ 6,171,979	$ 8,235,710
6. EEC expenditure limitation	$ 9,833,074	$ 9,125,738

* Includes Expenditure/Expense Adjustments Approved in the current year from Schedule E.
** Includes actual amounts as of the date the proposed budget was prepared, adjusted for estimated activity for the remainder of the fiscal year.
*** Amounts on this line represent Fund Balance/Net Position amounts except for amounts not in spendable form (e.g., prepaids and inventories) or legally or contractually required to be maintained intact (e.g., principal of a permanent fund).

CITY OF PHOENIX, ARIZONA
Tax Levy and Tax Rate Information
Fiscal Year 2021-22
(In Thousands)

	2020-21	2021-22
1. Maximum allowable primary property tax levy. A.R.S. §42-17051(A)	$ 185,429	$ 193,314
2. Amount received from primary property taxation in the **current year** in excess of the sum of that year's maximum allowable primary property tax levy. A.R.S. §42-17102(A)(18)	$	
3. Property tax levy amounts		
A. Primary property taxes	$ 181,767	$ 193,225
B. Secondary property taxes	114,741	120,494
C. Total property tax levy amounts	$ 296,508	$ 313,719
4. Property taxes collected*		
A. Primary property taxes		
(1) **Current** year's levy	$ 179,950	
(2) Prior years' levies	1,261	
(3) Total primary property taxes	$ 181,211	
B. Secondary property taxes		
(1) **Current** year's levy	$ 113,594	
(2) Prior years' levies	868	
(3) Total secondary property taxes	$ 114,462	
C. Total property taxes collected	$ 295,673	
5. Property tax rates		
A. City/Town tax rate		
(1) Primary property tax rate	1.3055	1.3055
(2) Secondary property tax rate	0.8241	0.8141
(3) Total city/town tax rate	2.1296	2.1196

B. Special assessment district tax rates

Secondary property tax rates - As of the date the proposed budget was prepared, the city/town was operating zero special assessment districts for which secondary property taxes are levied. For information pertaining to these special assessment districts and their tax rates, please contact the city/town.

* The 2021-22 planned primary and secondary levies are $193,225,455 and $120,493,943, respectively. Historically, actual property tax collections have been slightly lower than the amount levied. For 2021-22, actual collections for primary and secondary property taxes are estimated to be $191,294,000 and $119,289,000, or 99% of the levy amount.

** Includes actual property taxes collected as of the date the proposed budget was prepared, plus estimated property tax collections for the remainder of the fiscal year.

CITY OF PHOENIX, ARIZONA
Revenues Other Than Property Taxes
Fiscal Year 2021-22
(In Thousands)

SOURCE OF REVENUES	ESTIMATED REVENUES 2020-21	ACTUAL REVENUES * 2020-21	ESTIMATED REVENUES 2021-22
GENERAL FUND			
Intergovernmental			
County Vehicle License Tax	$ 71,743	$ 75,200	$ 79,100
Charges for services			
Fire Emergency Transportation Services	$ 37,875	$ 30,371	$ 33,500
Hazardous Materials Inspection Fee	1,400	1,400	1,500
Planning	1,808	1,387	1,497
Police	15,481	12,975	13,108
Street Transportation	6,684	6,145	6,481
Other Service Charges	20,365	18,484	21,644
Fines and forfeits			
Moving Violations	$ 6,133	$ 5,949	$ 5,949
Parking Violations	758	427	467
Driving While Intoxicated	771	450	450
Defensive Driving Program	2,512	1,375	1,375
Other Receipts	2,670	1,933	2,166
Interest on investments			
Interest on investments	$ 9,420	$ 5,410	$ 5,550
Contributions			
SRP In-Lieu Taxes	$ 1,987	$ 2,010	$ 2,010
Coronavirus Relief Fund	$ -	$ 109,225	$ -
Miscellaneous			
Miscellaneous	$ 6,899	$ 5,674	$ 5,279
Parks and Recreation	7,559	3,461	4,093
Libraries	768	204	483
Cable Communications	10,120	9,600	9,600
Total General Fund	$ 204,953	$ 291,680	$ 194,252
SPECIAL REVENUE FUNDS			
Highway User Revenue Fund			
Incorporated Cities Share	$ 115,980	$ 113,312	$ 118,834
300,000 Population Share	29,144	28,807	30,126
Interest/Other	1,160	760	755
	$ 146,284	$ 142,879	$ 149,715

CITY OF PHOENIX, ARIZONA
Revenues Other Than Property Taxes
Fiscal Year 2021-22
(In Thousands)

SOURCE OF REVENUES	ESTIMATED REVENUES 2020-21	ACTUAL REVENUES * 2020-21	ESTIMATED REVENUES 2021-22
Excise Tax Fund			
Local Taxes	$ 503,367	$ 525,063	$ 547,397
Stormwater	5,040	5,037	5,087
Jet Fuel	769	741	744
License & Permits	6,010	5,302	5,571
State Sales Tax	174,072	189,898	197,945
State Income Tax	241,167	240,237	219,316
Neighborhood Protection	36,539	38,258	40,214
2007 Public Safety Expansion	73,083	76,517	80,428
Public Safety Enhancement	22,789	26,808	24,706
Parks and Preserves	36,539	38,259	40,214
Transportation 2050	249,230	261,183	274,395
Capital Construction	8,239	7,790	7,370
Sports Facilities	20,558	10,877	15,578
Convention Center	60,050	50,420	57,196
	$ 1,437,452	$ 1,476,390	$ 1,516,161
Other Special Revenue Funds			
Neighborhood Protection	$ 637	$ 3,433	$ 405
2007 Public Safety Expansion	607	8,146	321
Parks and Preserves	2,242	1,627	1,852
Transportation 2050	43,468	15,855	27,973
Capital Construction	300	45	222
Sports Facilities	4,412	4,313	4,240
Development Services	72,140	69,500	71,428
Regional Transit	41,124	27,828	38,945
Community Reinvestment	5,987	5,938	5,863
Impact Fee Administration	625	515	525
Regional Wireless Cooperative	5,167	5,543	5,515
Golf	6,274	8,439	6,794
Court Awards	5,760	5,608	5,296
	$ 188,743	$ 156,790	$ 169,379
Other Restricted Funds			
Court Special Fees	$ 1,328	$ 868	$ 851
Vehicle Impound Program	1,293	1,270	1,270
Other Restricted Funds	33,317	21,822	22,427
Affordable Housing Program	6,590	(4,455)	6,550
	$ 42,528	$ 19,505	$ 31,098
Federal Funds			
Public Housing	$ 108,895	$ 109,733	$ 105,745
Human Services	58,963	96,447	86,581
Federal Transit Administration	180,911	142,349	240,756
Community Development	53,375	41,795	70,581
Criminal Justice/Public Safety	10,936	14,769	18,876
Other Federal & State Grants	331,269	135,989	508,465
	$ 744,349	$ 541,082	$ 1,031,004
Total Special Revenue Funds	$ 2,559,356	$ 2,336,646	$ 2,897,357

CITY OF PHOENIX, ARIZONA
Revenues Other Than Property Taxes
Fiscal Year 2021-22
(In Thousands)

SOURCE OF REVENUES	ESTIMATED REVENUES 2020-21	ACTUAL REVENUES * 2020-21	ESTIMATED REVENUES 2021-22
DEBT SERVICE FUNDS			
Secondary Property Tax	$ 4,611	$ 4,621	$ 4,397
Total Debt Service Funds	$ 4,611	$ 4,621	$ 4,397
CAPITAL PROJECTS FUNDS			
Capital Grants	$ 701,709	$ 244,522	$ 189,542
Joint Ventures	27,763	33,899	34,721
Passenger Faciltiy Charges	88,061	45,086	77,959
Customer Faciltiy Charges	51,198	27,595	46,246
Federal, State and Other Participation **	-	82,429	118,761
Other Capital Funds	63,700	35,970	-
Total Capital Projects Funds	$ 932,431	$ 469,501	$ 467,229
ENTERPRISE FUNDS			
Convention Center	$ 27,331	$ 3,557	$ 18,800
Solid Waste	175,132	182,178	189,869
Aviation	425,915	426,477	412,547
Water System	479,782	502,979	487,696
Wastewater System	249,814	253,208	254,696
Total Enterprise Funds	$ 1,357,974	$ 1,368,399	$ 1,363,608
TOTAL ALL FUNDS	$ 5,059,325	$ 4,470,847	$ 4,926,843

* Includes actual revenues recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated revenues for the remainder of the fiscal year.

** Previously reported as "Other Capital Funds".

CITY OF PHOENIX, ARIZONA
Other Financing Sources/<Uses> and Interfund Transfers
Fiscal Year 2021-22
(In Thousands)

FUND	OTHER FINANCING 2021-22 SOURCES	OTHER FINANCING 2021-22 <USES>	INTERFUND TRANSFERS 2021-22 IN	INTERFUND TRANSFERS 2021-22 <OUT>
GENERAL FUND				
General Fund	$ 1,000	$	$ 1,021,547	$ 131,740
Parks and Recreation			93,358	
Library			2,119	2,546
Cable Communications				6,431
Total General Fund	$ 1,000	$	$ 1,117,024	$ 140,717
SPECIAL REVENUE FUNDS				
Excise	$	$	$	$ 1,516,161
City Improvement			71,447	1,026
Neighborhood Protection			40,214	753
2007 Public Safety Expansion			80,428	1,423
Public Safety Enhancement			24,706	416
Parks and Preserves			40,369	193
Capital Construction	236		7,370	
Court Awards	2			
Transportation 2050			274,396	21,192
Development Services	14			4,440
Highway User Revenue	691			892
Sports Facilities	1		16,604	15,415
Regional Transit	14			
Regional Wireless Cooperative	9			
Other Restricted	32		34,824	7,541
Community Reinvestment	1		4,845	2,221
Grant Funds	74			274
Total Special Revenue Funds	$ 1,074	$	$ 595,203	$ 1,571,947
DEBT SERVICE FUNDS				
Secondary Property Tax	$ 650	$	$ 5,379	$
Total Debt Service Funds	$ 650	$	$ 5,379	$
CAPITAL PROJECTS FUNDS				
Aviation Bonds	$	$	$	$ 14,975
Capital Reserves			19,259	9
Water Bonds	200,000			
Other Bonds			1,026	1,026
Transportation 2050 Bonds	500,000			
Customer Facility Charges				28,601
Total Capital Projects Funds	$ 700,000	$	$ 20,285	$ 44,611
ENTERPRISE FUNDS				
Aviation	$ 1,781	$	$ 32,747	$ 10,290
Water	2,099		17,737	46,103
Wastewater	1,222		30,004	47,712
Solid Waste	268			9,802
Convention Center	61		57,196	3,801
Total Enterprise Funds	$ 5,431	$	$ 137,684	$ 117,708
TOTAL ALL FUNDS	$ 708,155	$	$ 1,875,575	$ 1,874,983

CITY OF PHOENIX, ARIZONA
Expenditures/Expenses by Fund
Fiscal Year 2021-22
(In Thousands)

FUND/DEPARTMENT	ADOPTED BUDGETED EXPENDITURES/ EXPENSES 2020-21	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED 2020-21	ACTUAL EXPENDITURES/ EXPENSES* 2020-21	BUDGETED EXPENDITURES/ EXPENSES 2021-22
GENERAL FUND				
General:	$	$	$	$
General Government	150,096	30,000	161,835	168,223
Criminal Justice	37,540	(200)	36,684	39,858
Public Safety	944,681	(5,200)	920,821	999,730
Transportation	20,762	2,800	23,186	23,476
Community Development	24,761	400	25,056	29,344
Community Enrichment	26,837		26,744	29,069
Environmental Services	18,799	3,200	21,670	24,482
Contingencies	55,596			123,219
Unassigned Vacancy Savings	(18,600)	10,000	(8,677)	(11,000)
Capital Budget	18,688	10,300	27,551	24,052
Parks and Recreation				
Operating	101,808	(3,200)	95,701	108,229
Contingencies				945
Capital		3,200	3,000	
Library				
Operating	40,896		40,026	43,865
Capital	955		955	955
Cable Communications	2,794		2,696	3,169
Total General Fund	$ 1,425,613	$ 51,300	$ 1,377,249	$ 1,607,618
SPECIAL REVENUE FUNDS				
	$	$	$	$
Arizona Highway User Revenue				
Operating	81,659	1,700	81,714	89,856
Capital	87,484	(1,700)	71,585	85,482
Capital Construction				
Operating	167		140	140
Capital	21,570		9,253	20,380
City Improvement	74,837		58,706	70,421
Community Reinvestment				
Operating	1,931	300	2,181	2,128
Capital	6,604	(300)	2,470	7,734
Court Awards				
Operating	5,760		4,393	5,464
Capital				
Development Services				
Operating	67,555		66,475	74,906
Contingencies	5,000			7,000
Capital	14,862		11,713	4,451
Federal Community Development				
Operating	42,697		40,890	58,187
Capital	10,678		1,978	12,394
Federal & State Grants				
Operating	327,486	(124,700)	148,089	502,000
Capital		100	69	10,225
Federal Transit				

CITY OF PHOENIX, ARIZONA
Expenditures/Expenses by Fund
Fiscal Year 2021-22
(In Thousands)

FUND/DEPARTMENT	ADOPTED BUDGETED EXPENDITURES/ EXPENSES 2020-21	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED 2020-21	ACTUAL EXPENDITURES/ EXPENSES* 2020-21	BUDGETED EXPENDITURES/ EXPENSES 2021-22
Operating	98,178	4,300	100,458	161,955
Capital	82,732	(4,300)	41,891	78,801
Golf Course				
Operating	5,604	2,000	7,364	6,224
Capital	593	1,300	1,793	
HOPE VI Grant				
Operating	4,975		4,388	5,370
Capital	9,745			9,745
Human Services Grants	58,963	39,500	96,447	86,581
Neighborhood Protection				
Operating	40,707		39,700	45,671
Capital				
Other Restricted Funds				
Fees and Contributions	61,948		52,701	66,468
Capital	15,747		7,708	12,718
Parks and Preserves				
Operating	6,251		5,929	6,479
Capital	68,566		28,178	66,212
Public Housing				
Operating	105,249		101,045	98,858
Capital	14,969		5,198	13,894
Public Safety Enhancement				
Operating	30,294		28,896	30,482
Capital				
Public Safety Expansion				
Operating	81,177	900	82,043	96,706
Capital				
Public Transit (RPTA)				
Operating	15,364	300	15,364	24,998
Capital	18,710	(300)	8,997	13,961
Regional Wireless Cooperative	5,118	900	5,947	5,485
Sports Facilities				
Operating	3,173		3,120	2,690
Contingencies	20,000			20,000
Capital	7,060	400	7,060	2,393
Transportation 2050				
Operating	163,905	(40,000)	120,323	87,311
Contingencies	4,000			4,000
Capital	107,267	68,300	167,201	308,724
	$	$	$	$
Total Special Revenue Funds	$ 1,778,585	$ (51,300)	$ 1,431,408	$ 2,206,494
DEBT SERVICE FUNDS				
	$	$	$	$
Secondary Property Tax and G.O.	129,497		128,846	129,714
Total Debt Service Funds	$ 129,497	$	$ 128,846	$ 129,714
CAPITAL PROJECTS FUNDS				

CITY OF PHOENIX, ARIZONA
Expenditures/Expenses by Fund
Fiscal Year 2021-22
(In Thousands)

FUND/DEPARTMENT	ADOPTED BUDGETED EXPENDITURES/ EXPENSES 2020-21	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED 2020-21	ACTUAL EXPENDITURES/ EXPENSES* 2020-21	BUDGETED EXPENDITURES/ EXPENSES 2021-22
	$	$	$	$
Arts and Cultural Facilities	903			902
Aviation	312,790		115,714	222,906
Economic Development	122,000		95,659	
Facilities Management	27,340		1,676	9,197
Finance				8,000
Fire Protection	20,271		4,647	25,870
Housing	12,116		1,207	11,949
Human Services	600			600
Information Technology	13,395		7,218	9,651
Libraries	8,530			4,666
Neighborhood Services	53			
Non-Departmental Capital	102,792		63,678	103,118
Parks, Recreation and Mtn Preserves	17,573		530	15,676
Phoenix Convention Center	1,780		1,780	
Police Protection	11,016			24,412
Public Art Program	5,736		1,236	4,455
Public Transit	976,241		80,204	70,579
Regional Wireless Cooperative	7,325		1,325	6,001
Solid Waste Disposal	21,553		1,051	21,611
Street Transportation and Drainage	144,125		134,169	163,821
Wastewater	281,408		47,686	179,044
Water	511,633		421,660	275,108
Total Capital Projects Funds	$ 2,599,180	$	$ 979,440	$ 1,157,566
ENTERPRISE FUNDS				
	$	$	$	$
Aviation				
Operating	557,457		479,478	440,249
Contingencies	20,000			20,000
Capital	126,151		30,820	126,993
Convention Center				
Operating	80,325		69,642	66,643
Contingencies	3,000			3,000
Capital	14,706		5,344	15,480
Solid Waste				
Operating	176,097		173,946	185,874
Contingencies	1,000			1,000
Capital	9,833		8,138	11,278
Wastewater				
Operating	187,595		183,026	187,351
Contingencies	3,500			12,500
Capital	32,262		32,039	71,659
Water				
Operating	373,106		366,701	403,313
Contingencies	12,000			12,000
Capital	89,733		61,496	125,355
Total Enterprise Funds	$ 1,686,765	$	$ 1,410,629	$ 1,682,695
REAPPROPRIATION FUNDS				
	$	$	$	$
General				
General Government	13,262		8,712	25,379

CITY OF PHOENIX, ARIZONA
Expenditures/Expenses by Fund
Fiscal Year 2021-22
(In Thousands)

FUND/DEPARTMENT	ADOPTED BUDGETED EXPENDITURES/ EXPENSES 2020-21	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED 2020-21	ACTUAL EXPENDITURES/ EXPENSES* 2020-21	BUDGETED EXPENDITURES/ EXPENSES 2021-22
Criminal Justice	840		538	1,261
Public Safety	26,407		17,049	32,634
Transportation	1,522		355	5,336
Environmental Services	32,093		17,343	21,400
Community Development	652		489	1,069
Community Enrichment	1,918		1,406	2,266
Capital Improvements	2,095	2,273	4,367	5,643
Library				
Community Enrichment	5,654		2,339	5,886
Parks and Recreation				
Community Enrichment	15,918		4,338	15,654
Cable Communications				
General Government	280		62	177
Arizona Highway User Revenue				
Street and Highway purposes	87,387		55,334	79,595
Aviation				
Transportation	186,378		112,281	99,990
Capital Construction				
Capital Improvements	7,473		3,046	8,874
City Improvement Operating				
Debt Service	32			260
Community Reinvestment				
Community Development	2,112		142	3,444
Court Awards				
Criminal Justice	1,385		551	1,557
Development Services				
Community Development	29,023		17,185	28,318
Federal and State Grants				
Operating grants	15,292		13,683	8,801
Federal Community Development				
Community Development	16,978		1,570	27,722
Federal Transit				
Transportation	69,589		47,020	26,289
Golf				
Community Enrichment	535		216	2,345
HOPE Grant				
Community Development	2,733		549	2,711
Human Services				
Community Enrichment	10,947		923	34,086
Neighborhood Protection				
Public Safety	1,678		921	2,472
Other Restricted				
Community Development	38,555		4,478	37,184
Parks and Preserves				
Capital Improvements	45,819		34,121	33,415
Phoenix Convention Center				
Community Enrichment	21,434		4,639	15,506
Public Housing				
Community Development	17,907		663	22,138
Public Safety Enhancement Funds				
Public Safety	1,275		801	59
Public Safety Expansion Funds				
Public Safety	2,902		911	282
Regional Transit Authority				
Transportation	11,516		5,244	45,499
Regional Wireless Cooperative				
General Government	2,510		202	3,508
Solid Waste				
Environmental Services	45,343		24,720	49,739
Sports Facilities				

CITY OF PHOENIX, ARIZONA
Expenditures/Expenses by Fund
Fiscal Year 2021-22
(In Thousands)

FUND/DEPARTMENT	ADOPTED BUDGETED EXPENDITURES/ EXPENSES 2020-21	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED 2020-21	ACTUAL EXPENDITURES/ EXPENSES* 2020-21	BUDGETED EXPENDITURES/ EXPENSES 2021-22
Community Enrichment	7,349		6,021	5,785
Transit 2000				
Transportation	623			
Transportation 2050				
Transportation	127,383	(2,273)	34,974	282,597
Wastewater				
Environmental Services	75,670		42,277	89,437
Water				
Environmental Services	115,874		72,488	117,200
Capital				
1988 Parks, Recreation, Facilities, Library Bonds	3,963		3,527	5,322
2001 Educational, Youth and Cultural Facility Bonds	68		9	15
2001 Neighborhood Protection & Senior Center Bonds	371		48	34
2006 Affordable Housing & Neighborhood Bonds	207		153	131
2006 Library, Senior & Cultural Center Bonds	5			
2006 Parks & Recreation Bonds	3,294		3,294	5,240
2006 Police and Fire Protection Bonds	110		69	32
2006 Police, Fire and Computer Technology Bonds	557		2	
2006 Street & Storm Sewer Improvement Bonds	7		5	
Aviation Capital	476,041		366,889	318,481
Capital Reserves	692		425	800
City Improvement	56,721		29,849	105,059
CPBC - Senior Lien Excise Tax	18,720		9,658	7,050
Development Impact Fees	20,906		17,874	34,822
Multi-City Wastewater Capital	32,039		30,023	43,204
Public Housing Capital	148			109
Regional Wireless Cooperative Capital	6,002			362
Solid Waste Capital	2,240		1,369	364
Streets Capital	16,036		8,438	53,418
Transit Capital	65,473		48,721	
Wastewater Capital	139,979		115,823	100,448
Water Capital	323,512		257,467	521,242
Total Reappropriation Funds	$ 2,213,434	$	$ 1,435,601	$ 2,341,651
TOTAL ALL FUNDS	$ 9,833,074	$	$ 6,763,173	$ 9,125,738

* Includes actual expenditures/expenses recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated expenditures/expenses for the remainder of the fiscal year.

CITY OF PHOENIX, ARIZONA
Expenditures/Expenses by Department
Fiscal Year 2021-22
(In Thousands)

DEPARTMENT/FUND	ADOPTED BUDGETED EXPENDITURES/ EXPENSES 2020-21	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED 2020-21	ACTUAL EXPENDITURES/ EXPENSES* 2020-21	BUDGETED EXPENDITURES/ EXPENSES 2021-22
Community Development:	$	$	$	$
Arizona Highway Users Revenue	15			15
Aviation	75		75	75
Community Development	50,843	(3,630)	36,748	68,938
Community Reinvestment	8,535		4,651	9,862
Convention Center	588		532	504
Development Services	82,053	(800)	77,325	78,554
Federal and State Grants	8,988	27,000	35,880	21,302
General	24,761	10,800	35,556	29,344
Hope VI	14,594		4,280	14,989
Neighborhood Protection	400		237	261
Other Restricted	14,521		10,921	13,904
Public Housing	120,128	(10)	106,144	112,652
Sports Facilities	2,786	400	2,765	677
Water	31		31	31
Department Total	$ 328,318	$ 33,760	$ 315,146	$ 351,109
Community Enrichment:	$	$		$
Arizona Highway Users Revenue	2,562		1,918	617
Aviation	157		3	6
Capital Construction				40
Community Development	2,301	3,600	5,866	1,370
Convention Center	72,290	(10)	53,745	60,788
Federal and State Grants	18,825	24,600	43,424	37,758
General	27,181		27,087	29,296
Golf Course	6,197	3,300	9,157	6,224
HOPE VI	126		108	126
Human Services Grants	58,963	39,500	96,447	86,581
Library	41,851		40,981	44,820
Other Restricted	5,695		2,871	3,907
Parks and Preserves	74,817		34,107	72,691
Parks and Recreation	101,808		98,701	108,229
Public Housing	89	10	98	100
Sports Facilities	5,205		5,205	2,563
Transportation 2050	783		248	494
Wastewater	155		155	155
Water	225		225	470
Department Total	$ 419,230	$ 71,000	$ 420,348	$ 456,235
Criminal Justice:	$	$		$
Federal and State Grants		130	110	
General	37,541	(200)	36,684	39,858
Other Restricted	2,975		2,956	3,265
Department Total	$ 40,516	$ (70)	$ 39,749	$ 43,123
Contingencies:	$	$		$
Aviation	20,000			20,000
Convention Center	3,000			3,000
Development Services	5,000			7,000

CITY OF PHOENIX, ARIZONA
Expenditures/Expenses by Department
Fiscal Year 2021-22
(In Thousands)

DEPARTMENT/FUND	ADOPTED BUDGETED EXPENDITURES/ EXPENSES 2020-21	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED 2020-21	ACTUAL EXPENDITURES/ EXPENSES* 2020-21	BUDGETED EXPENDITURES/ EXPENSES 2021-22
General	55,596			123,219
Parks and Recreation				945
Solid Waste	1,000			1,000
Sports Facilities	20,000			20,000
Transportation 2050	4,000			4,000
Wastewater	3,500			12,500
Water	12,000			12,000
Department Total	$ 124,096	$	$	$ 203,664
Environmental Services:	$	$		$
Aviation		10	5	
Capital Construction	70		70	70
Convention Center		10	2	
Development Services	23	800	734	480
Federal and State Grants	491	4,740	5,222	362
General	32,574	3,200	34,272	39,429
Other Restricted	4,128	350	4,468	4,149
Solid Waste	168,462		166,760	181,431
Transportation 2050		200	11	
Wastewater	147,070	(10)	142,350	186,566
Water	314,329		289,561	372,626
Department Total	$ 667,147	$ 9,300	$ 643,455	$ 785,114
General Government:	$	$		$
Arizona Highway Users Revenue	236		163	252
Aviation	1,180		831	1,186
Cable	2,794		2,696	3,169
Community Development	231	30	254	273
Convention Center	82		68	68
Court Awards	165		86	58
Development Services	342		129	323
Federal and State Grants	1,879	28,600	30,470	2,550
General	136,065	30,000	165,920	175,521
Other Restricted	2,483		2,419	2,424
Regional Wireless Cooperative	5,118	900	5,947	5,485
Solid Waste	473		346	493
Sports Facilities	639		606	159
Transportation 2050	331		77	290
Wastewater	858		776	900
Water	1,508		1,471	1,921
Department Total	$ 154,384	$ 59,530	$ 212,261	$ 195,071
Public Safety:	$	$		$
Court Awards	5,594		4,307	5,406
Federal and State Grants	25,281	7,630	32,883	34,222
General	944,681	(5,300)	920,841	1,001,310
Neighborhood Protection	40,308		39,463	45,410
Other Restricted	40,283	(350)	31,626	45,701

CITY OF PHOENIX, ARIZONA
Expenditures/Expenses by Department
Fiscal Year 2021-22
(In Thousands)

DEPARTMENT/FUND	ADOPTED BUDGETED EXPENDITURES/ EXPENSES 2020-21	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED 2020-21	ACTUAL EXPENDITURES/ EXPENSES* 2020-21	BUDGETED EXPENDITURES/ EXPENSES 2021-22
Public Safety Enhancement	30,293		28,896	30,482
Public Safety Expansion	81,177	900	82,043	96,706
Sports Facilities	1,604		1,604	1,685
Department Total	$ 1,169,221	$ 2,880	$ 1,141,663	$ 1,260,923
Transportation:	$	$		$
Arizona Highway Users Revenue	166,330		151,218	174,453
Aviation	593,590	(40,010)	382,936	478,694
Capital Construction	21,667		9,323	20,410
Federal and State Grants	72	100	170	30
Federal Transit Authority	180,661		142,349	240,756
General	20,762	2,800	23,186	23,476
Other Restricted	7,108		5,149	5,836
Transit - RPTA	34,075		24,362	38,959
Transportation 2050	270,057	28,100	287,188	395,252
Department Total	$ 1,294,322	$ (9,010)	$ 1,025,880	$ 1,377,867
Debt:	$	$		
Aviation	87,856	40,000	126,449	87,281
City Improvement	74,837		58,706	70,421
Convention Center	21,070		20,639	20,763
Secondary Property Tax	129,497		128,846	129,714
Solid Waste	16,745		14,977	15,227
Wastewater	71,775	10	71,783	71,389
Water	146,446		136,908	153,620
Department Total	$ 548,226	$ 40,010	$ 558,308	$ 548,415
Non-Departmental	$	$		
Aviation	750			
Convention Center	1,000			
Federal and State Grants	271,950	(217,400)		416,000
Federal Transit Authority	250			
General**		10,000	(8,677)	(11,000)
Other Restricted	500			
Solid Waste	250			
Water	300			
Department Total	$ 275,000	$ (207,400)	$ (8,677)	$ 405,000
	$	$	$	$
Capital:	2,599,180		979,440	1,157,566
Department Total	$ 2,599,180	$	$ 979,440	$ 1,157,566
	$	$	$	$
Reappropriation:	2,213,434		1,435,601	2,341,651

CITY OF PHOENIX, ARIZONA
Expenditures/Expenses by Department
Fiscal Year 2021-22
(In Thousands)

DEPARTMENT/FUND	ADOPTED BUDGETED EXPENDITURES/ EXPENSES 2020-21	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED 2020-21	ACTUAL EXPENDITURES/ EXPENSES* 2020-21	BUDGETED EXPENDITURES/ EXPENSES 2021-22
Department Total	$ 2,213,434	$	$ 1,435,601	$ 2,341,651
Total All Departments	$ 9,833,074	$	$ 6,763,173	$ 9,125,738

* Includes actual expenditures/expenses recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated expenditures/expenses for the remainder of the fiscal year.

** In prior years, Unassigned Vacancy Savings were included in General Government General Funds.

CITY OF PHOENIX, ARIZONA
Full-Time Employees and Personnel Compensation
Fiscal Year 2021-22
(In Thousands)

FUND	Full-Time Equivalent (FTE) 2021-22	Employee Salaries and Hourly Costs 2021-22	Retirement Costs 2021-22	Healthcare Costs 2021-22	Other Benefit Costs 2021-22	Total Estimated Personnel Compensation 2021-22
GENERAL FUND						
General	7,457	$ 664,737	$ 324,008	$ 98,005	$ 102,697	= 1,189,447
Library	389	19,582	4,222	2,332	3,360	29,495
Parks and Recreation	931	42,357	10,199	7,039	7,344	66,940
Cable Communications	19	1,732	514	199	347	2,793
Total General Fund	**8,796**	**$ 728,409**	**$ 338,944**	**$ 107,575**	**$ 113,748**	**= 1,288,675**
SPECIAL REVENUE FUNDS						
Arizona Highway User Revenue	683	$ 39,951	$ 14,168	$ 8,536	$ 8,382	= 71,037
Community Reinvestment	3	350	106	28	62	546
Development Services	440	34,223	10,575	5,719	6,082	56,598
Federal Community Development	78	5,889	1,778	1,013	1,143	9,823
Federal and State Grants	197	10,617	4,455	1,984	1,933	18,989
Golf Course	32	1,398	226	98	207	1,930
HOPE VI	15	710	151	147	199	1,207
Human Services	173	8,733	2,837	1,904	1,787	15,261
Neighborhood Protection	283	19,910	13,574	2,731	2,702	38,918
Other Restricted	119	9,235	2,881	1,504	1,802	15,422
Parks and Preserves	78	3,700	911	601	717	5,929
Public Safety Enhancement	266	17,633	8,800	2,554	2,752	31,740
Public Safety Expansion	687	54,917	34,689	7,609	7,179	104,394
Public Housing	70	4,969	1,507	890	916	8,283
Regional Wireless Cooperative	4	349	93	48	78	569
Transportation 2050	121	9,760	3,202	1,445	1,998	16,404
Total Special Revenue Funds	**3,248**	**$ 222,344**	**$ 99,953**	**$ 36,812**	**$ 37,941**	**= 397,051**
ENTERPRISE FUNDS						
Aviation	892	$ 55,007	$ 89,864	$ 11,660	$ 12,140	= 168,671
Convention Center	218	11,584	3,472	1,902	2,450	19,408
Solid Waste	635	37,542	11,920	8,314	6,581	64,356
Wastewater	339	21,822	2,818	4,507	4,326	33,472
Water	1,151	73,345	24,399	14,595	15,094	127,433
Total Enterprise Funds	**3,235**	**$ 199,300**	**$ 132,471**	**$ 40,978**	**$ 40,591**	**= 413,341**
TOTAL ALL FUNDS	**15,278**	**$ 1,150,053**	**$ 571,368**	**$ 185,365**	**$ 192,281**	**= 2,099,067**

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 32

Adoption of the Tentative 2021-22 Annual Budget (Ordinance S-47591)

An ordinance **(Attachment A)** adopting the tentative estimates of the amounts required for public expense for operating funds for the City of Phoenix for the fiscal year 2021-22; adopting a tentative budget; setting forth the receipts and expenditures and the amounts estimated as collectible for the fiscal year, and the amount proposed to be raised by direct property taxation for primary and secondary purposes; giving notice of the time and place for hearing taxpayers and for adoption of the budget and fixing the tax levies.

Concurrence/Previous Council Action

This reflects the budget approved by the Council on May 18, 2021 and complies with the requirements set forth in the City Charter and Code and State Statutes. Final adoption is scheduled for June 16, 2021.

Responsible Department

This item is submitted by City Manager Ed Zuercher, Assistant City Manager Jeff Barton and the Budget and Research Department.

Attachment A

THIS IS A DRAFT COPY <u>ONLY</u> AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE.

ORDINANCE S-

AN ORDINANCE ADOPTING THE TENTATIVE ESTIMATES OF THE AMOUNTS REQUIRED FOR PUBLIC EXPENSE OF OPERATING FUNDS FOR THE CITY OF PHOENIX FOR THE FISCAL YEAR 2021-2022; ADOPTING A TENTATIVE BUDGET; SETTING FORTH THE RECEIPTS AND EXPENDITURES AND THE AMOUNTS ESTIMATED AS COLLECTIBLE FOR THE FISCAL YEAR, AND THE AMOUNT PROPOSED TO BE RAISED BY DIRECT PROPERTY TAXATION FOR PRIMARY AND SECONDARY PURPOSES; GIVING NOTICE OF THE TIME AND PLACE FOR HEARING TAXPAYERS AND FOR ADOPTION OF THE BUDGET AND FIXING THE TAX LEVIES.

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WHEREAS, by the provisions of the City Charter an ordinance adopting the tentative budget for the fiscal year 2021-2022 is required to be adopted on or before the last day of June, which date complies with A.R.S. §§ 42-17101, 17102, 17103, and 17104.

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

DRAFT

SECTION 1. That the statement and schedules hereinafter set forth and hereby adopted for the purpose as hereinafter set forth as the tentative budget for the City of Phoenix for the fiscal year 2021-2022.

SECTION 2. That the City Clerk is hereby authorized and directed to publish in the manner prescribed by law the estimates of expenditures, as hereinafter set forth, together with a notice that the City Council will meet for the purpose of final hearing by taxpayers and for adoption of the 2021-2022 annual budget for the City of Phoenix on the 16th day of June 2021 at the hour of 2:30 p.m. in the City Council Chambers of the City of Phoenix, 200 West Jefferson, Phoenix, Arizona, and will further meet for the purpose of fixing tax levies on the 1st day of July 2021 at the hour of 10:00 a.m. in said Council Chambers.

SECTION 3. That the sums to be raised by primary taxation, as specified herein, do not in the aggregate amount exceed that amount as computed pursuant to A.R.S. § 42-17102(C).

SECTION 4. Upon the approval of the City Manager, funds may be transferred within purposes set forth in Section 9.

SECTION 5. Upon recommendation by the City Manager and with the approval of the City Council, expenditures may be made from the appropriation for contingencies.

SECTION 6. In the case of an emergency, the City Council may authorize the transfer of funds between purposes set forth in Section 9, if funds are available and the transfer does not conflict with the limitations provided by law (A.R.S. § 42-17102).

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SECTION 7. The City Council may authorize appropriation increases, if funds are available, for purpose of expenditures that are exempt from limitation provided in Article IX, Section 20, Constitution of Arizona.

SECTION 8. Money from any fund may be used for any of these purposes set forth in Section 9, except money specifically restricted by State law or by City Charter or City ordinances and resolutions.

SECTION 9. That the purposes of expenditures set forth in this section are necessary for the conduct of the business of the government of the City of Phoenix and such amounts are hereby adopted as tentative appropriations for the 2021-2022 fiscal year.

CITY OF PHOENIX, ARIZONA
PURPOSES OF PROPOSED PUBLIC EXPENSE

Purpose	Amount of Appropriation 2021-2022
GENERAL FUNDS	
General Government	$168,222,524
Public Safety	999,730,206
Criminal Justice	39,858,267
Transportation	23,476,431
Community Development	29,344,401
Community Enrichment	29,069,292
Environmental Services	24,481,917
Contingencies	123,219,420
Unassigned Vacancy Savings	(11,000,000)
Capital Improvements	24,052,012
Total General Funds	$1,450,454,470

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Purpose	Amount of Appropriation 2021-2022
PARKS AND RECREATION FUNDS	
Parks and Recreation Operations and Maintenance.	$108,229,050
Contingencies	945,000
Total Parks and Recreation Funds	$109,174,050
LIBRARY FUNDS	
Library Operations and Maintenance, and Capital Improvements.	$44,820,358
CABLE COMMUNICATION FUNDS	
Cable Communication Operations and Maintenance.	$3,168,877
ARIZONA HIGHWAY USER REVENUE FUNDS	
Street Maintenance, Major Street Improvements, Traffic Improvements and other Street Improvements.	$175,337,671
AVIATION FUNDS	
Aviation Operations and Maintenance, Debt Service and Capital Improvement Expenditures.	$567,241,921
Contingencies	20,000,000
Total Aviation Funds	$587,241,921
CAPITAL CONSTRUCTION FUNDS	
Capital Improvements in the Street Transportation and Environmental Programs, and related Operations and Maintenance.	$20,519,777
CITY IMPROVEMENT FUND	
Debt Service Payments for Transit Facilities and Improvements; Vehicles; Downtown Arena; Municipal Court Building; IGC/TGen Facility; City Hall; Public Safety Communication Systems; Property Acquisitions; Security Access Control; Adams Street and Other Garages; LED Streetlight Conversion; Telephone System and Data Network Replacement; Street Improvements; Amphitheater; Personnel Building; Elevator Rehabilitation;	$70,420,934

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ASU College of Nursing; Police Training Academy and Precincts; City Technology Upgrades; Local Alcohol Rehabilitation Center; Miscellaneous Redevelopment Projects; Other Equipment, Office, Service and Training Facilities and Improvements.	
COMMUNITY REINVESTMENT FUNDS	
Community Reinvestment Operations and Maintenance, and Capital Improvement Expenditures.	$9,862,269
COURT AWARD FUNDS	
Criminal Justice Programs.	$5,463,755
DEVELOPMENT SERVICES FUNDS	
Development Services Operations and Maintenance, and Capital Improvement Expenditures.	$79,357,250
Contingencies	7,000,000
Total Development Services Funds	$86,357,250
FEDERAL COMMUNITY DEVELOPMENT FUNDS	
Community Development Program.	$70,581,150
FEDERAL OPERATING TRUST FUNDS	
Federal and State Grant Programs.	$512,224,775
FEDERAL TRANSIT FUND	
Transit Operations and Maintenance, and Capital Improvements.	$240,755,810
GOLF COURSE FUNDS	
Golf Course Operations and Maintenance, and Capital Improvements.	$6,223,650
HOPE VI FEDERAL GRANT FUNDS	$15,115,075
HUMAN SERVICES FEDERAL TRUST FUNDS	
Human Services Program.	$86,581,471

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Purpose	Amount of Appropriation 2021-2022
NEIGHBORHOOD PROTECTION FUNDS Eligible Police, Fire, and Block Watch Operations and Maintenance Expenditures Funded with Privilege License and Excise Taxes in accordance with Ordinance G-3696.	$45,671,187
OTHER RESTRICTED FUNDS Other Restricted Funds Operations and Maintenance, and Capital Improvement Expenditures.	$79,185,939
PARKS AND PRESERVES FUNDS Parks and Preserves Operations and Maintenance, and Capital Improvement Expenditures Funded with Privilege License and Excise Taxes in accordance with the Phoenix Parks and Preserves initiative approved by the Phoenix voters in a ballot measure on May 20, 2008.	$72,691,141
PHOENIX CONVENTION CENTER FUNDS Phoenix Convention Center Operations and Maintenance, Debt Service, and Capital Improvement Expenditures.	$82,123,372
Contingencies	3,000,000
Total Phoenix Convention Center Funds	$85,123,372
PUBLIC HOUSING FUNDS Public Housing Operations and Maintenance, and Capital Improvement Expenditures.	$112,751,559
PUBLIC SAFETY ENHANCEMENT FUNDS Police, Fire, and Emergency Management Operations and Maintenance Expenditures Funded with Privilege License and Excise Taxes in accordance with Ordinance S-31877.	$30,481,955
PUBLIC SAFETY EXPANSION FUNDS Police and Fire Personnel and Service Expansion Funded with Privilege License and Excise Taxes in accordance with Ordinance G-4987.	$96,706,039

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Purpose	Amount of Appropriation 2021-2022
REGIONAL TRANSIT FUNDS	
Regional Transportation Operations and Maintenance, and Capital Improvement Expenditures.	$38,959,335
REGIONAL WIRELESS COOPERATIVE FUNDS	
Operations and Maintenance of the Regional Wireless Cooperative.	$5,484,955
SECONDARY PROPERTY TAX FUNDS	
Debt Service on and Early Redemption of Outstanding Bonds and Long-Term Obligations.	$129,714,319
SOLID WASTE FUNDS	
Solid Waste Operations and Maintenance, Debt Service and Capital Improvement Expenditures.	$197,151,493
Contingencies	1,000,000
Total Solid Waste Funds	$198,151,493
SPORTS FACILITIES FUNDS	
Sports Facilities Operations and Maintenance, and Capital Improvement Expenditures.	$5,082,877
Contingencies	20,000,000
Total Sports Facilities Funds	$25,082,877
TRANSPORTATION 2050 FUNDS	
Transit and Streets Operations and Maintenance, and Capital Improvement Expenditures Funded with Privilege License and Excise Taxes in accordance with Ordinance G-6051.	$396,035,691
Contingencies	4,000,000
Total Transportation 2050 Funds	$400,035,691

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Purpose	Amount of Appropriation 2021-2022
WASTEWATER SYSTEM FUNDS	
Wastewater System Operations and Maintenance, Debt Service and Capital Improvement Expenditures.	$259,010,031
Contingencies	12,500,000
Total Wastewater Funds	$271,510,031
WATER FUNDS	
Water System Operations and Maintenance, Debt Service and Capital Improvement Expenditures.	$528,668,231
Contingencies	12,000,000
Total Water Funds	$540,668,231
TOTAL APPROPRIATIONS 2021-2022	$5,626,521,387

PASSED by the Council of the City of Phoenix on this 2nd day of June 2021.

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M A Y O R

ATTEST:

_____ City Clerk

APPROVED AS TO FORM:

_____ Acting City Attorney

DRAFT

REVIEWED BY:

_____ City Manager

DRAFT

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 33

Adoption of the Tentative 2021-22 Capital Funds Budget (Ordinance S-47652)

An ordinance (**Attachment A**) adopting the tentative Capital Funds Budget for the City of Phoenix for the fiscal year 2021-22.

Summary

This adopts the tentative 2021-22 Capital Funds Budget for the fiscal year beginning July 1, 2021, and ending June 30, 2022. The Capital Funds Budget will be funded by property tax and revenue supported bond proceeds, federal and state participation funds, passenger facility charges, customer facility charges, participation by other governmental entities in certain projects, development impact fees, capital grants, capital reserves, solid waste remediation funds and other capital funding sources.

Final adoption is scheduled for June 16, 2021.

Concurrence/Previous Council Action

The 2021-22 Capital Funds Budget is included in the Five-Year Capital Improvement Program resolution also requested for Council approval on the June 2, 2021 Formal Agenda and complies with requirements set forth in the City Charter and Code and State Statutes.

Responsible Department

This item is submitted by City Manager Ed Zuercher, Assistant City Manager Jeff Barton and the Budget and Research Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE

ORDINANCE S-#####

AN ORDINANCE ADOPTING THE TENTATIVE CAPITAL FUNDS BUDGET FOR THE CITY OF PHOENIX FOR THE FISCAL YEAR 2021-22.

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

SECTION 1. The schedule set forth as Section 2 below is hereby adopted as the tentative 2021-22 Capital Funds Budget for capital improvements to be made from authorized property tax and revenue supported bond proceeds, nonprofit corporation bond financing, federal and state participation funds, passenger facility charges, customer facility charges, participation by other governmental entities in certain projects, development impact fees, capital grants, capital reserves, solid waste remediation funds and other capital funding sources, for the year beginning July 1, 2021 and ending June 30, 2022.

SECTION 2. This Council has determined and adopted the following estimates of proposed Capital expenditure improvements for the various purposes therein named for the fiscal year beginning July 1, 2021 and ending June 30, 2022.

Purpose	Appropriation Amount 2021-22
ARTS AND CULTURAL FACILITIES	
2001 General Obligation Bonds	$902,484
AVIATION	
Aviation Bonds, Capital Grants, Passenger Facility Charges	$222,906,187
FACILITIES MANAGEMENT	
Other Bonds, Other Capital	$9,197,423
FINANCE	
Other Bonds	$8,000,000
FIRE PROTECTION	
Impact Fees, Other Bonds	$25,869,988
HOUSING	
Capital Grants	$11,949,126
HUMAN SERVICES	
2006 General Obligation Bonds	$600,000
INFORMATION TECHNOLOGY	
Other Bonds	$9,650,699
LIBRARIES	
Impact Fees	$4,666,283

Purpose	Appropriation Amount 2021-22
NON-DEPARTMENTAL CAPITAL	
Customer Facility Charges, Federal, State and Other Participation, Passenger Facility Charges, Transportation 2050 Bonds, Water Bonds	$103,117,628
PARKS, RECREATION & MOUNTAIN PRESERVES	
Capital Grants, Capital Reserves, Impact Fees	$15,675,874
POLICE PROTECTION	
2006 General Obligation Bonds, Capital Reserves, Impact Fees	$24,412,000
PUBLIC ART PROGRAM	
Aviation Bonds, Passenger Facility Charges, Solid Waste Bonds, Wastewater Bonds, Water Bonds	$4,455,255
PUBLIC TRANSIT	
Capital Grants, Transportation 2050 Bonds	$70,578,680
REGIONAL WIRELESS COOPERATIVE	
Other Cities' Share in Joint Ventures	$6,001,000
SOLID WASTE DISPOSAL	
Capital Reserves, Solid Waste Bonds, Solid Waste Remediation	$21,610,760

Purpose	Appropriation Amount 2021-22
STREET TRANSPORTATION & DRAINAGE	
2006 General Obligation Bonds, Federal, State and Other Participation, Impact Fees, Transportation 2050 Bonds	$163,820,559
WASTEWATER	
Impact Fees, Other Cities' Share in Joint Ventures, Wastewater Bonds	$179,044,203
WATER	
Impact Fees, Other Cities' Share in Joint Ventures, Water Bonds	$275,107,856
TOTAL	$1,157,566,005

SECTION 3. Upon the approval of the City Manager, funds may be transferred within purposes set forth in Section 2.

SECTION 4. The City Council may authorize appropriation increases, if funds are available, for purpose of expenditures that are exempt from the limitation provided in Article IX, Section 20, Constitution of Arizona.

PASSED by the Council of the City of Phoenix this 2nd day of June, 2021.

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M A Y O R

ATTEST:

_____ City Clerk

APPROVED AS TO FORM:

_____ Acting City Attorney

REVIEWED BY:

_____ City Manager

DRAFT

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 34

Adoption of the Tentative 2021-22 Reappropriated Funds Budget (Ordinance S-47592)

An ordinance (**Attachment A**) adopting the tentative Reappropriation Budget for items of expenditure previously adopted as part of the 2020-21 fiscal year Operating and Capital Funds Budgets of the City of Phoenix but remaining as unexpended funds as of June 30, 2021.

Summary

This adopts the Tentative 2021-22 Reappropriated Funds Budget Ordinance. Council approved contracts can span multiple fiscal years and budget appropriations expire on June 30 of each fiscal year. This ordinance re-establishes the spending authority for remaining payments to vendors on outstanding contract balances for goods and services to be received during Fiscal Year 2021-22.

This complies with requirements set forth in the City Charter and Code and State Statutes.

Responsible Department

This item is submitted by City Manager Ed Zuercher, Assistant City Manager Jeff Barton and the Budget and Research Department.

Attachment A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE.

ORDINANCE S-

AN ORDINANCE ADOPTING THE TENTATIVE REAPPROPRIATION BUDGET FOR ITEMS OF EXPENDITURE PREVIOUSLY ADOPTED AS PART OF THE 2020-2021 FISCAL YEAR OPERATING AND CAPITAL FUNDS BUDGETS OF THE CITY OF PHOENIX BUT REMAINING AS UNEXPENDED FUNDS AS OF JUNE 30, 2021.

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WHEREAS, the City of Phoenix adopts, pursuant to state law, an annual budget consisting of operating funds and capital funds for expenditure in each fiscal year, and did so for the fiscal year 2020-2021, and

WHEREAS, the requirements of planning and contracting for the acquisition of goods and services requires in many instances that the contracts for such goods and services cannot be immediately executed; and

WHEREAS, there remains from said items budgeted for the fiscal year 2020-2021 substantial amounts represented by executed but unfulfilled contracts, and

WHEREAS, the City Charter directs that amounts may be expended by the City only for goods and services actually received, and may not be expended in advance of the acquisition of such goods and services, and

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WHEREAS, State Budget Law, A.R.S. § 42-17102 as amended, and as interpreted by the Attorney General, demands that no expenditures be made for a purpose not included in the budget, and no expenditure be made for any debt, obligation or liability incurred or created in any fiscal year in excess of the amount specified for each purpose in the budget for such fiscal year as finally adopted,

THEREFORE, it has become necessary to tentatively adopt a reappropriation and supplemental budget for sums to be expended in the fiscal year 2021-2022 from funds budgeted for the fiscal year 2020-2021, but remaining unexpended as of the close of the fiscal year on June 30, 2021.

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

SECTION 1. That this Council has determined and adopted the following tentative estimates of proposed capital and operating fund expenditures as hereinafter set forth presenting a reappropriation of items previously budgeted for the fiscal year 2020-2021 but remaining unexpended at the close of said fiscal year, and likely to remain unexpended by September 1, 2021, and representing amounts encumbered by means of outstanding contracts as of the close of said fiscal year. Said amounts and the purposes therefore are set forth in the schedule below as follows:

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2021-2022 REAPPROPRIATED FUNDS

Fund	Amount
OPERATING FUNDS:	
General Funds	
General Government	$25,379,000
Criminal Justice	1,261,000
Public Safety	32,634,000
Transportation	5,336,000
Environmental Services	21,400,000
Community Development	1,069,000
Community Enrichment	2,266,000
Capital Improvements	5,643,000
Total General Funds	$94,988,000
Parks and Recreation Funds	
Parks and Recreation Operations and Maintenance, and Capital Improvements.	$15,654,000
Library Funds	
Library Operations and Maintenance, and Capital Improvements.	$5,886,000
Cable Communication Funds	
Cable Communication Operations and Maintenance.	$177,000
Arizona Highway User Revenue Funds	
Street Maintenance, Major Street Improvements, Traffic Improvements and Other Street Improvements.	$79,595,000
Aviation Funds	
Aviation Operations and Maintenance, and Capital Improvements.	$99,990,000

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Fund	Amount
Capital Construction Funds	
Capital Improvements in Street Transportation and Drainage.	$8,874,000
City Improvement Operating Funds	
Debt Service Related Costs associated with City Improvement.	$260,000
Community Reinvestment Funds	
Community Reinvestment Program.	$3,444,000
Court Award Funds	
Criminal Justice Program.	$1,557,000
Development Services Funds	
Development Services Operations and Maintenance, and Capital Improvements.	$28,318,000
Federal Community Development Funds	
Community Development Program.	$27,722,000
Federal Operating Trust Funds	
Federal and State Grants.	$8,801,000
Federal Transit Funds	
Federal Transit Grant Program.	$26,289,000
Golf Course Funds	
Golf Course Operations and Maintenance, and Capital Improvements.	$2,345,000
HOPE VI Federal Grant Funds	
HOPE VI Program.	$2,711,000

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Fund	Amount
Human Services Federal Trust Funds	
Human Services Program.	$34,086,000
Neighborhood Protection Funds	
Eligible Police, Fire and Blockwatch Operations and Maintenance Expenditures Funded with Privilege License and Excise Taxes in accordance with Ordinance G-3696.	$2,472,000
Other Restricted Funds	
Other Restricted Funds Operations and Maintenance, and Capital Improvements.	$37,184,000
Parks and Preserves Funds	
Parks and Preserves Operations and Maintenance, and Capital Improvement Expenditures Funded with Privilege License and Excise Taxes in accordance with the Phoenix Parks and Preserves initiative approved by the Phoenix voters in a ballot measure on May 20, 2008.	$33,415,000
Phoenix Convention Center Funds	
Phoenix Convention Center Operations and Maintenance, and Capital Improvements.	$15,506,000
Public Housing Funds	
Public Housing Operations and Maintenance, and Capital Improvements.	$22,138,000
Public Safety Enhancement Funds	
Police, Fire, and Emergency Management Operations and Maintenance Expenditures Funded with Privilege License and Excise Taxes in accordance with Ordinance S-31877.	$59,000

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Fund	Amount
Public Safety Expansion Funds	
Police and Fire Personnel and Service Expansion Funded with Privilege License and Excise Taxes in accordance with Ordinance G-4987.	$282,000
Regional Transit Authority Funds	
Regional Transit Operations and Maintenance, and Capital Improvements.	$45,499,000
Regional Wireless Cooperative Funds	
Regional Wireless Cooperative Operations and Maintenance.	$3,508,000
Solid Waste Funds	
Solid Waste Operations and Maintenance, and Capital Improvements.	$49,739,000
Sports Facilities Funds	
Sports Facilities Operations and Maintenance, and Capital Improvements.	$5,785,000
Transportation 2050 Funds	
Transit and Streets Operations and Maintenance, and Capital Improvement Expenditures Funded with Privilege License and Excise Taxes in accordance with Ordinance G-6051.	$282,597,000
Wastewater System and Multi-City Wastewater Funds	
Wastewater System Operations and Maintenance, and Capital Improvements.	$89,437,000
Water Funds	
Water System Operations and Maintenance, and Capital Improvements.	$117,200,000

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Fund	Amount
CAPITAL PROJECTS FUNDS:	
1988 Parks, Recreation, Facilities, Library Bonds	$5,322,000
2001 Educational, Youth and Cultural Facilities Bonds Funds	$15,000
2001 Neighborhood Protection and Senior Center Bond Funds	$34,000
2006 Affordable Housing & Neighborhood Bond Funds	$131,000
2006 Parks & Recreation Bond Funds	$5,240,000
2006 Police and Fire Protection Bond Funds	$32,000
Aviation Capital Funds	$318,481,000
Capital Reserve Funds	$800,000
City Improvement Capital Funds	$105,059,000
Civic Plaza Building Corporation Funds	$7,050,000
Development Impact Fee Funds	$34,822,000
Multi-City Wastewater Capital Funds	$43,204,000
Public Housing Capital Funds	$109,000
Regional Wireless Cooperative Capital Funds	$362,000
Solid Waste Capital Funds	$364,000
Streets Capital Funds	$53,418,000
Wastewater Capital Funds	$100,448,000
Water Capital Funds	$521,242,000
TOTAL	$2,341,651,000

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SECTION 2. That the City Clerk is hereby authorized and directed to publish in the manner prescribed by law the estimates of these expenditures, as hereinabove set forth, together with the notice that the City Council will meet for the purpose of final hearing by taxpayers and for the adoption of said reappropriation budget on the 16th day of June 2021 at the hour of 2:30 p.m. in the City Council Chambers of the City of Phoenix, 200 West Jefferson, Phoenix, Arizona.

SECTION 3. In case of an emergency, the City Council may authorize the transfer of funds between the purposes set forth in Section 1 above, if the funds are available and the transfer does not conflict with the limitations provided by law under A.R.S. § 42-17102.

SECTION 4. Money from any fund may be used for any of these purposes set forth hereinabove, except money specifically restricted by state law or by City Charter or City ordinances and resolutions.

PASSED by the Council of the City of Phoenix this 2nd day of June 2021.

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M A Y O R

ATTEST:

_____City Clerk

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APPROVED AS TO FORM:

_____Acting City Attorney

REVIEWED BY:

_____City Manager

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City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 35

Amendments to Rules of Council Proceedings (Ordinance G-6860)

An ordinance amending Phoenix City Code, Chapter 2, Article II, section 2-60, Rules of Council Proceedings, to incorporate updates and feedback received from councilmembers.

Summary

The proposed ordinance would amend existing Rules 2, 7 and 15.

Proposed changes detailed in the draft ordinance **(Attachment A)** include:
- Modifying the rule regarding Use of Staff (8-Hour Rule) to include additional detail that clarifies the conditions upon which the approval of the full City Council is required for staff projects or work.
- Clarifying when the City Manager includes an item on the Formal meeting agenda at the written request of the Mayor or at least three councilmembers, the item may be withdrawn before the meeting or before any vote occurs related to the item by written request from the Mayor (if the request was from the Mayor) or by one of the council members who requested the item. Otherwise, an item can only be withdrawn from the agenda by a majority vote of the City Council.
- Providing that an item placed on the agenda by the City Manager (not by request of the Mayor or councilmembers) may be withdrawn by the City Manager before any vote occurs. Otherwise, it can only be withdrawn from the agenda by a majority vote of the City Council.
- Permitting councilmembers to make a request during a meeting to receive a typed or written copy of a motion made by a councilmember prior to voting on the item, and stipulating that the chair may pause the meeting or table the item while staff is obtaining and distributing the motion.

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk and Law departments.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE

ORDINANCE G-6860

AN ORDINANCE AMENDING AND REORGANIZING CHAPTER 2, ARTICLE II, SECTION 2-60 OF THE PHOENIX CITY CODE RELATING TO THE RULES OF COUNCIL PROCEEDINGS.

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

SECTION 1. That Chapter 2, Article II, Section 2-60 of the Phoenix City Code related to the Rules of Council Proceedings is amended and reorganized to read as follows:

* * * *

Rule 2: Meetings.

* * * *

(C) The City Manager will include an item on the formal agenda at the written request of the mayor or at least three Council members. BEFORE THE MEETING OR BEFORE ANY VOTE OCCURS RELATED TO THE ITEM, THE ITEM MAY BE WITHDRAWN FROM THE AGENDA BY WRITTEN REQUEST TO THE CITY MANAGER FROM THE MAYOR, ONLY IF THE ITEM WAS REQUESTED BY THE MAYOR, OR ONE OF THE COUNCIL MEMBERS WHO REQUESTED THE ITEM. OTHERWISE, AN ITEM CAN ONLY BE WITHDRAWN FROM THE AGENDA BY A MAJORITY VOTE OF THE CITY COUNCIL.

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Rule 7: Rules of governance.

(a) A majority of the members of the Council shall constitute a quorum. The Charter requires the affirmative vote of a majority of the members of the Council to pass any ordinance, franchise, resolution or formal recorded action.

(b) The Mayor shall be the presiding officer and have a voice and vote in all Council proceedings. During the absence or disability of the Mayor, the Vice Mayor shall act as Mayor. In the absence of both the Mayor and Vice Mayor at a council meeting, the Council Member who most recently served as Vice Mayor shall serve as the acting Mayor to preside over the meeting. During the extended absence or disability of both Mayor and Vice Mayor, the Council shall elect a presiding officer for all meetings.

(c) The Council shall select a new Vice Mayor once each calendar year at the first formal meeting in January or at the next regularly scheduled meeting after a Vice Mayor vacancy occurs.

(d) The Mayor shall assign the seating arrangement for the Formal and Policy Meetings.

(E) BEFORE ANY VOTE OCCURS RELATED TO AN ITEM ON A FORMAL COUNCIL AGENDA, THE ITEM MAY BE WITHDRAWN FROM THE AGENDA BY THE CITY MANAGER, OR BY WRITTEN REQUEST AS PROVIDED IN RULE 2(C). OTHERWISE, AN ITEM CAN ONLY BE WITHDRAWN FROM THE AGENDA BY A MAJORITY VOTE OF THE CITY COUNCIL.

(F) ~~(e)~~ There will be no more than one amendment to a motion permitted. A substitute motion is considered an amendment.

(1) A “friendly” amendment that is accepted by the maker and the second shall not count as an official amendment. The purpose of a friendly amendment is to make minor modifications or clarifications to a motion.

(2) When a motion to amend a motion, which includes a substitute motion, has been made and seconded, the next vote shallbe on that motion.

(3) If the motion to amend fails, the original motion remains on the floor and shall be voted on.

(G) DURING A MEETING, ANY COUNCIL MEMBER CAN REQUEST FOR ALL COUNCIL MEMBERS TO RECEIVE A TYPED OR WRITTEN COPY OF A MOTION MADE BY A COUNCIL MEMBER PRIOR TO THE COUNCIL VOTING ON THE ITEM. AT THE DIRECTION OF THE MEETING CHAIR, STAFF WILL RETRIEVE A COPY OF THE MOTION FROM THE MOTION MAKER AND PROVIDE IT TO THE REST OF THE COUNCIL FOR THEIR REVIEW. DURING THE TIME STAFF IS OBTAINING THE MOTION AND DISTRIBUTING IT TO THE COUNCIL, THE MEETING CHAIR CAN

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PAUSE THE MEETING, OR TABLE THE ITEM FOR IT TO BE HEARD AT A LATER TIME IN THE SAME AGENDA.

(H) ~~(f)~~ Any member, at any time, may request a roll call vote for clarification of a voice vote.

(I) ~~(g)~~ Council members shall not be excused from voting. A failure to vote or a voluntary abstention shall count as an “aye” vote unless excused by an announced conflict of interest.

(J) ~~(h)~~ Roll will be called in alphabetical order by Council Member last names, followed by the Vice Mayor and Mayor.

(K) ~~(i)~~ In the case of a tie in the vote on any measure, the measure shall be considered defeated.

(L) ~~(j)~~ The journal of the proceedings of the Council (meeting minutes) shall record individual votes on all ordinances, resolutions, franchises, formal actions, and liquor license applications recommended for disapproval. For voice votes of ayes and nayes that are not unanimous, the Mayor shall indicate the individual votes. The Mayor may require that Council Members’ votes be clarified.

(M) ~~(k)~~ During a meeting, the Council may vote to reconsider any item except an ordinance that failed to pass. The Charter provides that if an ordinance fails to pass, the vote on the motion shall not be taken within 24 hours thereafter. The motion to reconsider any measure may be made only by a member on the prevailing side and must receive a second, which may be made by any member.

(N) ~~(l)~~ After the meeting, requests for reconsideration may also be filed by a member of the prevailing side with the city clerk within seven business days following the date of original action, except requests for reconsideration of zoning matters shall be filed within seven calendar days after the action.

(1) The request for reconsideration should be addressed tothe city clerk and contain the meeting date, item subject, and number of the item requested for reconsideration.

(2) If properly and timely filed, the city clerk should place the request for reconsideration on the next available formal meeting agenda. Except for zoning cases, the item being reconsidered should be placed on the agenda to immediately follow the item to request reconsideration. Reconsidered items for zoning cases should be placed on the next available formal agenda that allows compliance with the applicable posting period.

(3) A motion to reconsider must receive a second, which maybe made

by any council member.

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RULE 15: Use of staff (eight-hour rule).

(A) No INDIVIDUAL Council member shall request any staff project requiring over eight hours of staff work without first seeking approval of the full city council. THIS INCLUDES REQUESTS SUCH AS RESEARCH, ORDINANCE DEVELOPMENT, LISTENING SESSIONS, HEARINGS OR COMMUNITY INPUT MEETINGS. THE REQUEST SHALL BE MADE IN WRITING TO THE CITY MANAGER IDENTIFYING THE PROJECT BEING REQUESTED.

(B) ITEMS PLACED ON A SUBCOMMITTEE AGENDA BY A SUBCOMMITTEE CHAIR OR A REGULAR AGENDA BY THE MAYOR DO NOT REQUIRE AN 8-HOUR RULE REQUEST FOR BASIC STAFF WORK NECESSARY FOR AN INITIAL DISCUSSION OF THE ITEM. HOWEVER, DEVELOPMENT OF A NEW ORDINANCE WILL GENERALLY REQUIRE AN 8-HOUR REQUEST APPROVED BY THE FULL CITY COUNCIL. A MAJORITY VOTE OF A SUBCOMMITTEE CAN REQUEST STAFF TO CONDUCT UP TO THREE LISTENING SESSIONS OR PUBLIC HEARINGS FOR THE SUBCOMMITTEE.

(C) THIS RULE DOES NOT APPLY TO DISTRICT COUNCIL OR MAYOR OFFICE STAFF CONDUCTING THEIR OWN RESEARCH OR COMMUNITY OR PUBLIC OUTREACH MEETINGS.

* * * *

PASSED by the Council of the City of Phoenix this 2nd day of June 2021.

_____
MAYOR

ATTEST:

_____
Denise Archibald, City Clerk

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APPROVED AS TO FORM:
Cris Meyer, City Attorney

By: _____

_____

REVIEWED BY:

_____
Ed Zuercher, City Manager

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City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 36

Proposed Ismail Annexation - Authorization to File

Request to authorize the City Manager, or his designee, to file with the Maricopa County Recorder's Office a blank petition for a proposed annexation. This annexation was requested by Tim Rasnake with Archicon Architects and Interiors, LC, 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.

Summary

Signatures on the proposed annexation petition shall not be obtained for a waiting period of 30 days after filing the blank petition with the Maricopa County Recorder. Additionally, a Public Hearing will be scheduled within this 30-day waiting period, permitting the City Council to gather community input regarding the annexation proposal. Formal adoption of this proposed annexation will be considered at a later date.

Location

The proposed annexation area includes parcels 300-14-067 and 300-14-065, located at 35th Avenue and Baseline Road (**Attachment A**). The annexation area is approximately 6.67 acres (0.0104 sq. mi.) and the population estimate is six individuals.

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

ANNEXATION MAP

ISMAIL

City of Phoenix

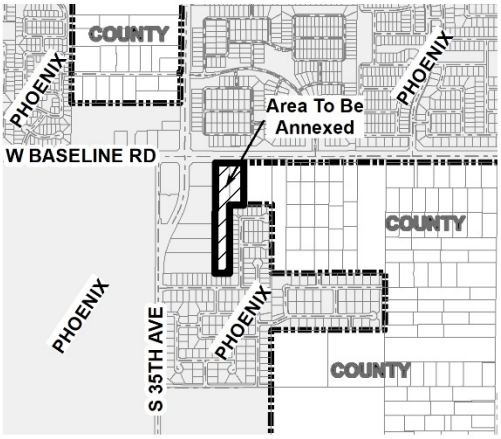
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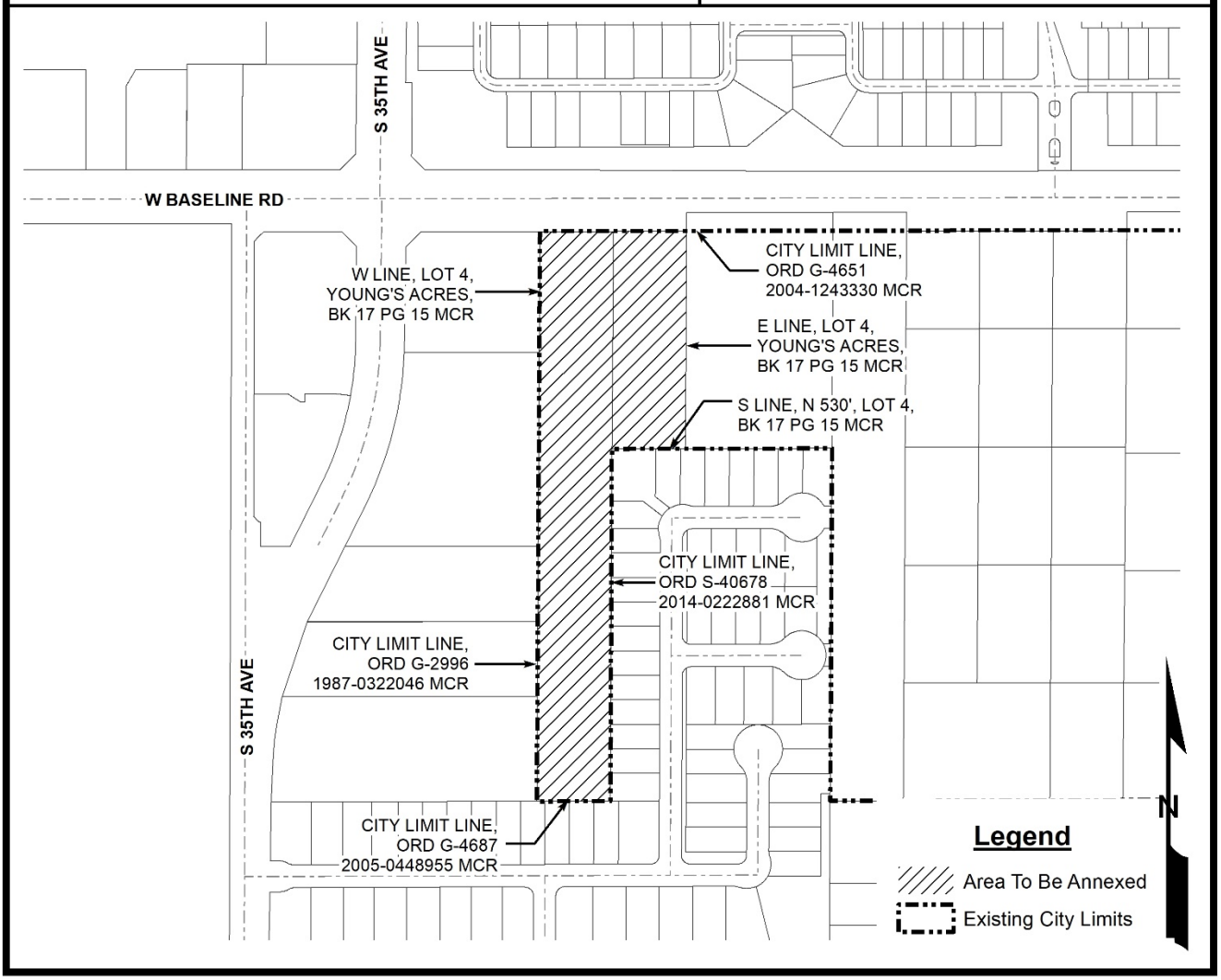
SECTION 2 T. 1 N., R. 2 E.,
G. & S. R. B. & M.

ANNEXATION NUMBER: XXX

AREA IN SQUARE MILES
0.0104

VICINITY MAP





City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 37

Proposed Cave Creek Road and Dynamite Boulevard Annexation - Authorization to File

Request to authorize the City Manager, or his designee, to file with the Maricopa County Recorder's Office a blank petition for a proposed annexation. This annexation was requested by Donald Patty 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.

Summary

Signatures on the proposed annexation petition shall not be obtained for a waiting period of 30 days after filing the blank petition with the Maricopa County Recorder. Additionally, a Public Hearing will be scheduled within this 30-day waiting period, permitting the City Council to gather community input regarding the annexation proposal. Formal adoption of this proposed annexation will be considered at a later date.

Location

The proposed annexation area includes parcel 211-39-002P, located at 4328 E. Dynamite Blvd. (**Attachment A**). The annexation area is approximately 1.10 acres (0.0017 sq. mi.) and the population estimate is three individuals.

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

ANNEXATION MAP

CAVE CREEK ROAD AND DYNAMITE BOULEVARD

City of Phoenix

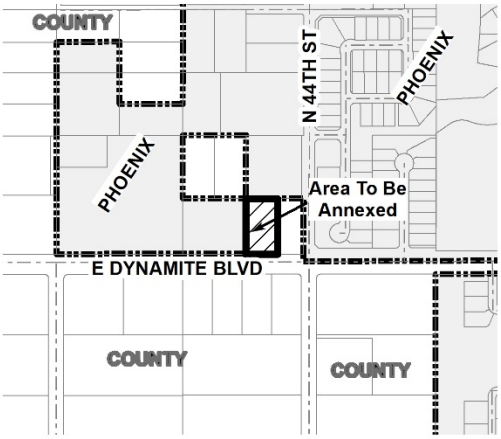
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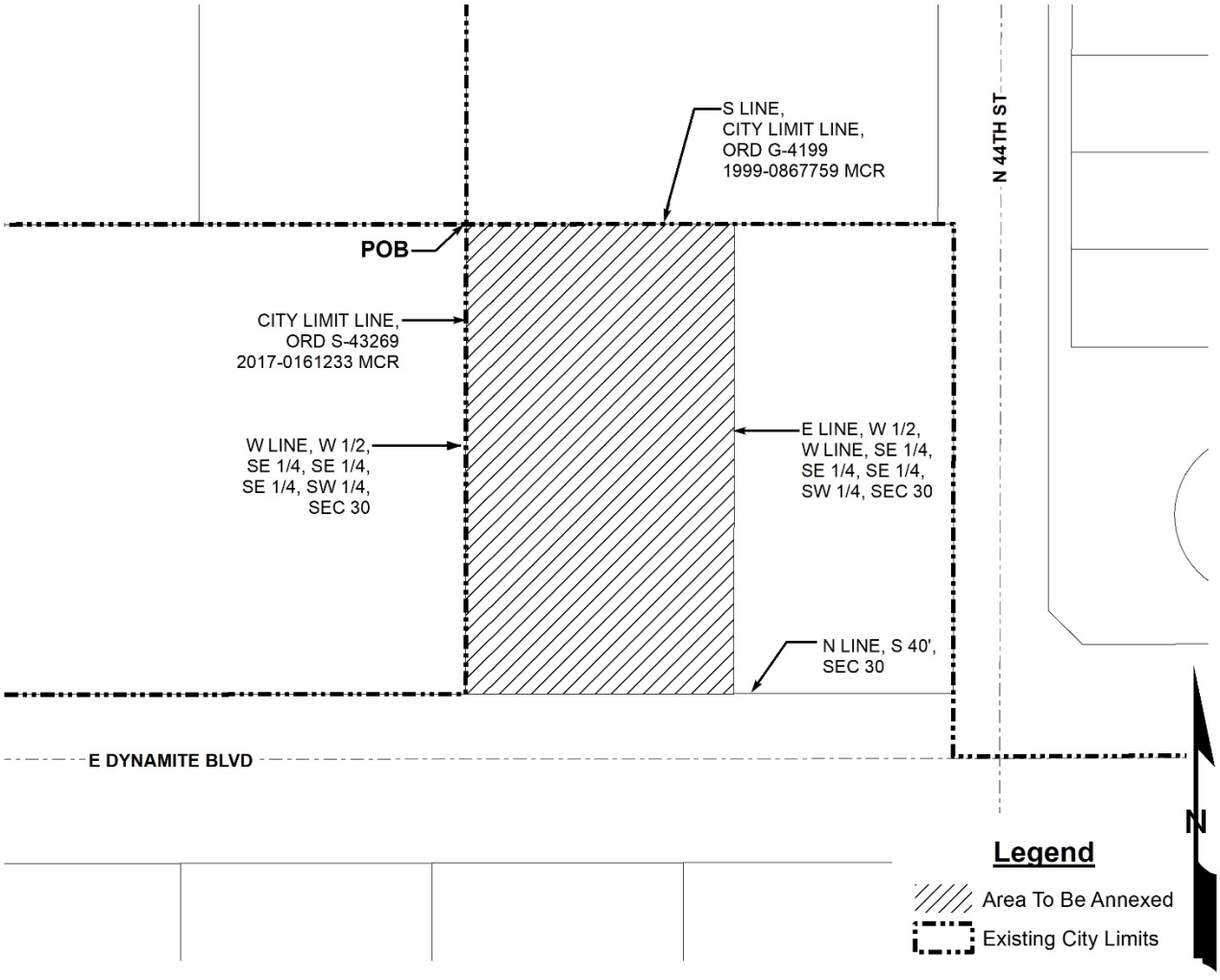
SECTION 30 T. 5 N., R. 4 E.,
G. & S. R. B. & M.

ANNEXATION NUMBER: XXX

AREA IN SQUARE MILES
0.0017

VICINITY MAP





City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 38

Computer Hardware and Support Services, State of Arizona Cooperative Purchasing Agreements - COOP 21-031 (Ordinance S-47594)

Request to authorize the City Manager, or his designee, to enter into linking agreements with the following vendors who have executed cooperative purchasing agreements with the State of Arizona for the purchase of computer hardware and support services as-needed for citywide use: Dell Marketing, LP (contract ADSPO16-098163); HP Inc., (contract ADSPO16-098209); International Business Machines (IBM) (contract ADSPO16-098793); HPE, Inc (contract ADSPO16-098209); NetApp, Inc. (contract ADSPO16-098203) and Transource Services Corporation (contract ADSPO16-098200). Further request an exception to the indemnity and assumption of liability provisions of Phoenix City Code Section 42-18. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate value of these contracts will not exceed $17,500,000.

Summary

The computer hardware and support services contracts provide a wide variety of technology needs for all City departments. Purchases made under these contracts include on-going replacement of end user computer hardware, peripheral equipment, devices, laptops, tablets, monitors, power cables, other end of life user devices and support services.

Procurement Information

In accordance with Administrative Regulation 3.10, a linking agreement is required when the City uses a cooperative agreement from another public agency. The computer hardware and support services contracts were awarded through a competitive process consistent with the City's procurement processes, as set forth in the Phoenix City Code, Chapter 43.

Both the American Bar Association and National Institute of Government Purchasing endorse the use of cooperative purchasing agreements by municipalities and other public institutions. An established best practice in government procurement, cooperative purchasing agreements provide extensive benefits to procurement officials by leveraging volume purchasing for maximum cost benefit and ensuring best value.

The Deputy Finance Director recommends that the City Council approve linking agreements to the cooperative purchasing agreements with Dell Marketing, LP; HP Inc.; IBM; HPE, Inc; NetApp, Inc. and Transource Services Corporation.

Contract Term
The initial contract term will be through July 31, 2022, with one additional one year option to extend.

Financial Impact
The aggregate contract value will not exceed $17,500,000. Funds are available in the various departments' budgets.

Responsible Department
This item is submitted by City Manager Ed Zuercher and the Finance Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 39

Increase Expenditure Authority for Police Department Air Support Unit Equipment, Parts and Services - Requirements Contract - RFA 19-011A (Ordinance S-47595)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 152013 with FLIR Surveillance Inc. for the purchase of aircraft parts, accessories, maintenance and repairs for the Police Department, Air Support Unit. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $400,000.

Summary
This contract provides the Star SAFIRE 380-HD U-8000 System, Single LRU EO/IR Imaging System, U-800 with parts, accessories, warranties, labor and repairs for Air Support's Astar Helicopter and PC12 Pilatus Airplane. This equipment assists pilots in detecting warm objects against cooler backgrounds when searching for suspects involved in criminal activity during poor or obstructed visibility. Additional funds are needed to continue providing preventative routine maintenance in order to remain in compliance with Federal Aviation Administration regulations for the safety, performance and operations of the aircraft.

Contract Term
The contract term is March 18, 2020 through Feb. 28, 2025**.**

Financial Impact
Upon approval of $400,000 in additional funds, the revised aggregate value of the contract will not exceed $800,000. Funds are available in the Police Department’s budget.

Concurrence/Previous Council Action
This contract was originally approved by City Council on March 18, 2020.

Responsible Department
This item is submitted by Assistant City Manager Jeff Barton and the Police Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 40

Aircraft Parts and Services - Requirements Contract - IFB 18-137A (Ordinance S-47600)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 148977 with Precision Heli-Support, Contract 148978 with Able Aerospace Services, Inc., Contract 148979 with Westwind Aviation, Inc., Contract 148991 with Agusta Westland Philadelphia Corp, and Contract 148992 with Airbus Helicopters for the purchase of aircraft parts and services for the Police Department, Air Support Unit. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $1,700,000.

Summary
These contracts provide various aircraft parts and services to operate and maintain fixed-wing and rotary aircraft for the Police Department's Air Support Unit. The helicopters are critical as they support patrol officers, provide crime suppression and are used for mountain rescue services. Additional funds are needed due to increased wear and tear on the department's aging fleet, resulting in higher maintenance and replacement parts costs. It is critical for the aircraft to remain operational to avoid negative effects on public safety. The Federal Aviation Administration (FAA) mandates routine maintenance and overhauls be performed to ensure the safe operation of the aircraft fleet.

Contract Term
The contract term is Dec 1, 2018 through Nov. 30, 2023.

Financial Impact
Upon approval of $1,700,000 in additional funds, the revised aggregate value of the contract will not exceed $5,200,000. Funds are available in the Police Department’s budget.

Concurrence/Previous Council Action
This contract was originally approved by City Council on Nov. 14, 2018.

Responsible Department

This item is submitted by Assistant City Manager Jeff Barton and the Police Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 41

Amend License with Maricopa County for Air Quality Monitors at Phoenix Fire Station 40 (Ordinance S-47608)

Request to authorize the City Manager, or his designee, to amend a non-exclusive license agreement, City Contract 131584, with Maricopa County, a political subdivision of the State of Arizona (County), to extend the license term for a five-year period, with two additional five-year options.

Summary
The license is for the placement of air quality monitors and shelters at Fire Station 40 located at 3838 N. 83rd Ave. The County's air quality monitors are to sample and analyze the ambient air in the vicinity. The County is responsible for all costs related to the monitors, including utility service.

Contract Term
The term of the license will be five years, with two additional five-year options to extend. The agreement may be terminated by either party upon receipt of a 30-day written notice.

Location
3838 N. 83rd Ave.
Council District: 5

Responsible Department
This item is submitted by City Manager Ed Zuercher, Assistant City Manager Jeff Barton, and the Fire and Finance departments.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 42

Various Metals Supply - Requirements Contract - IFB 21-065 (Ordinance S-47609)

Request to authorize the City Manager, or his designee, to enter into an agreement with Southwest Steel Sales, LLC to purchase various metal supply for citywide use. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate agreement value will not exceed $750,000.

Summary
The purpose of this contract is to provide various metals to citywide departments on an as-needed basis to fabricate, maintain and/or repair various grates, handrails, and fences throughout the City of Phoenix. The Water Services and Fire departments are the primary users of this contract. The requested materials are critical to citywide facility operations.

Procurement Information
IFB 21-065 was conducted in accordance with Administrative Regulation 3.10. There were two offers received by the Finance Department Procurement Division on April 9, 2021, one of which was found to be non-responsive. The responsive offer was evaluated on price, responsiveness to specifications, and responsibility to provide the required goods and services. The bid notification was sent to 229 suppliers and was publicly posted and available for download from the City's website.

The Deputy Finance Director recommends the offer from Southwest Steel Sales, LLC be accepted as the lowest-priced, responsive and responsible offer.

Contract Term
The five-year agreement term will begin on or about July 1, 2021.

Financial Impact
The total agreement value will not exceed $750,000. Funding is available in the various departments' budgets.

Responsible Department
This item is submitted by City Manager Ed Zuercher and the Finance Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 43

Acceptance and Dedication of Easements for Public Utility and Sidewalk Purposes (Ordinance S-47611)

Request for the City Council to accept and dedicate easements for public utility 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: United Services Automobile Association, its successor and assigns
Purpose: Public Utility
Location: 26300 N. Norterra Parkway
File: FN 200613
Council District: 1

Easement (b)
Applicant: US Relp Norterra East I, LLC, its successor and assigns
Purpose: Public Utility
Location: 26300 N. Norterra Parkway
File: FN 200613
Council District: 1

Easement (c)
Applicant: Southern Avenue Development, LLC, its successor and assigns
Purpose: Public Utility
Location: 3610 & 3614 W. Taylor St.
File: FN 210024
Council District: 4

Easement (d)
Applicant: John Song Trust dated October 10, 1994 and restated August 10, 2012, Song Four Investments, Inc, Richard Steven Kent, Jeffrey Joseph Kent, Bryan Chan

Kent, JS Song Properties, LLC, its successor and assigns
Purpose: Public Utility
Location: 6834 N. 23rd Drive
File: FN 210021
Council District: 5

Easement (e)
Applicant: Aldi (Arizona) LLC, its successor and assigns
Purpose: Sidewalk
Location: 5775 W. Baseline Road
File: FN 210015
Council District: 7

Easement (f)
Applicant: 2812 N 29th, LLC, its successor and assigns
Purpose: Public Utility
Location: 2530 N. 28th Place
File: FN 210020
Council District: 8

Easement (g)
Applicant: Juan Martinez, its successor and assigns
Purpose: Public Utility
Location: 835 E. Apollo Road
File: FN 210023
Council District: 8

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: 6/2/2021, **Item No.** 44

Acceptance of Easements for Drainage Purposes (Ordinance S-47612)

Request for the City Council to accept easements for drainage 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: United Services Automobile Association, its successor and assigns
Purpose: Drainage
Location: 26300 N. Norterra Parkway
File: FN 200613
Council District: 1

Easement (b)
Applicant: US Relp Norterra East I, LLC, its successor and assigns
Purpose: Drainage
Location: 26300 N. Norterra Parkway
File: FN 200613
Council District: 1

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: 6/2/2021, **Item No.** 45

Diversity RX Solution Camera Downlink Antenna - EXC 21-114 (Ordinance S-47613)

Request to authorize the City Manager, or his designee, to enter into a contract for a one-time purchase with Helinet Aviation Services, LLC to purchase one, 6-way Diversity RX Solution Camera Downlink Antenna for the Police Department. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate agreement value will not exceed $119,305.

Summary

The purpose of this contract is to purchase one, 6-way Diversity RX Solution Camera Downlink Antenna for the Police Department. The Phoenix Police Department's Air Support Unit currently utilizes a portable antenna system for downlinking aerial surveillance from aircraft. This system is several years old, no longer reliable and is not serviceable by the manufacturer. It also has numerous limitations including poor reception strength, line-of-sight requirements and temperature sensitivity. Additionally, this system is not capable of sending the received signal to the City network. The requested antenna would be mounted on top of City Hall, which would provide nearly unlimited reception across the City of Phoenix and beyond, while simultaneously allowing the received signal to be input to the City network. This network access would allow the video feed to be viewed both onsite and off-site by authorized personnel as events unfold, as well as provide temporary recording on network servers. While video will be temporarily recorded on network drives, evidentiary video will be recorded in the aircraft, to be downloaded and impounded as evidence per Criminal Justice Information Services and Phoenix Police Department policies. The downlink video feed has been found to be vital during major events and high-priority surveillance of criminal activity. All live-feeds will be encrypted. This purchase includes a two-year warranty of the system.

This item has been reviewed and approved by the Information Technology Services Department.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an approved Determination Memo which stated that with a more reliable,

permanently mounted antenna, the Police Department would be provided with added security and safety for officers on the ground and the City will further reduce its liability in high-profile situations. The Diversity RX Solution Camera Downlink Antenna is the only available system that meets this need.

The Deputy Finance Director recommends the contract with Helinet Aviation Services, LLC be accepted.

Contract Term
The one-year contract term will begin on or about May 20, 2021.

Financial Impact
The aggregate contract value will not exceed $119,305. Funds are available in the Police Department's budget.

Responsible Department
This item is submitted by Assistant City Manager Jeff Barton and the Police Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 46

Foreign Language Interpretation and Translation Services - Requirements Contract (Ordinance S-47614)

Request to authorize the City Manager, or his designee, to enter into a cooperative participating agreement with Language Line Services, Inc. for as-needed Interpretation and Translation Services for citywide use. A cooperative contract was established by the State of Arizona under solicitation number ADSPO18-00008136. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $250,000.

Summary

The contract will provide City departments access to certified interpreters and/or translators. As-needed services will include in-person interpretation services, telephone interpretation services, and document translation services. Interpretation and Translation services are needed to provide the public the ability to communicate in more than 70 languages with public safety personnel during emergency and non-emergency scenarios. Document translation services of legal documents, forms, booklets, and pamphlets are needed by city departments.

Procurement Information

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. The contract was awarded through competitive processes consistent with the City's procurement processes, as set forth in the Phoenix City Code, chapter 43.

The State of Arizona ADSPO18-212895 contract for Interpretation and Translation services as required by the City of Phoenix's departments. The contract was awarded on Aug. 28, 2018. The use of this cooperative will provide the City national discounts on these services. Additionally, review of pricing and availability from registered small and local businesses indicates that this cooperative contract offers the best value to the City.

Upon City Council approval of this item, a purchasing agreement incorporating the City's terms and conditions will be fully executed between Language Line Services, Inc. and the City.

Both the American Bar Association and National Institute of Government Purchasing endorses the use of Cooperative Agreements by municipalities and other public institutions. As established best practice in government procurement, Cooperative Agreements provide extensive benefits to procurement officials by leveraging volume purchasing for maximum cost benefit and ensuring best value.

The Deputy Finance Director recommends that the cooperative participating agreement with Language Line Services, Inc. be accepted.

Contract Term
The one-year contract term will begin on or about June 1, 2021. Provisions of the contract include an option to extend the term up to one additional year, which may be exercised by the City Manager or designee.

Financial Impact
The aggregate contract value will not exceed $250,000. Funds are available in various departments' budgets.

Responsible Department
This item is submitted by City Manager Ed Zuercher and the Finance Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 47

Part-Time Television Engineering Services - RFQu 19-070 (Ordinance S-47628)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 150025 with Engineering and Recording, Inc. for the purchase of television engineering services and equipment for the Communications Office. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $141,000.

Summary

The Communications Office supports various departments and programming through the operation of PHXTV, the City's municipal cable station available to inform Phoenix residents. This includes the broadcast and streaming support for all City Council meetings and special events.

The station broadcasts programming both on-air and online which requires occasional television engineering services. This contract provides the Communications Office with required part-time engineering services, including but not limited to, maintenance of all station and engineering facilities, video production software, technology infrastructure, software and equipment upgrades, live-streaming, emergency equipment failure, and server support; as well as equipment technical research, and installation and operation of equipment.

Additional funds are needed due to usage that has been higher than originally anticipated as engineering needs have increased considerably with the change to virtual City Council Meetings during the COVID-19 pandemic.

Contract Term

The five-year contract term began on May 15, 2019, and is valid through May 14, 2024.

Financial Impact

Upon approval of $141,000 in additional funds, the revised aggregate value of the contract will not exceed $228,000. Funds are available in the Communications Office’s budget.

Concurrence/Previous Council Action

This contract was originally approved by the City Council on May 15, 2019.

Responsible Department

This item is submitted by City Manager Ed Zuercher and the Communications Office.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 48

Xerox Multifunction Devices, Products, Maintenance - ADSPO13-050377(A) - Requirements Contract (Ordinance S-47637)

Request to authorize the City Manager, or his designee, to extend and continue using Ordinance S-42303 under Contract 148114 with Xerox Corporation for the lease of two Xerox high-volume black and white production devices, products and maintenance for the City Clerk Department. Further request authorization for the City Controller to continue to disburse all existing funds related to this item. No additional funds are needed.

Summary

This contract is required to lease two high-volume black and white production printers that are outside the scope of the Unified Print Project. This equipment is used to print customer account statements for the Finance Department, liquor and regulated business license statements and bills, sex offender notifications, training and recruitment materials and other large volume projects for City departments. The equipment has allowed the City to minimize costs and modernize processes while taking advantage of more current technology to continue to produce more than 2.4 million impressions annually at the highest level of efficiency.

Contract Term

Upon approval, the contract term will be extended through Oct. 31, 2021.

Financial Impact

The contract was approved on March 2, 2016 with an original aggregate value of $900,000; no additional funds are needed. Any remaining funds authorized by previous Council action will be applied to the extended contract term. Funds are available in the City Clerk Department’s budget.

Concurrence/Previous Council Action

This contract was originally approved by City Council on March 2, 2016.

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 49

Hazardous Material Meters, Parts, Service, and Maintenance - Requirements Contract (Ordinance S-47642)

Request to authorize the City Manager, or his designee, to enter into a contract with Bascom-Turner Instruments Inc., Proengin Inc., CAM2 Technologies LLC dba Redwave Technology and Rigaku Analytical Devices Inc., to purchase hazardous material meters, parts, service and maintenance for the Fire Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $688,000.

Summary

The hazardous material meters are used by the Fire Department's emergency response personnel to detect dangerous chemicals, explosive gasses, radiation, white-powders and many other substances. The hazardous material meters are a critical part of the Fire Department's ability to identify dangerous substances and mitigate those hazards to protect the public and the firefighters.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an approved Determination Memo which stated that the need for consistent training throughout the agencies, delicate nature of the detection devices, the dangerous conditions in which they are used, and the sole manufacturers of these specific meters requires the Fire Department to utilize specific meters supplied by Bascom-Turner Instruments Inc. (EXC 21-101), Proengin Inc. (EXC 21-124), CAM2 Technologies LLC dba Redwave Technology (EXC 21-125) and Rigaku Analytical Devices Inc. (EXC 21-120).

The Deputy Finance Director recommends that the contract with Bascom-Turner Instruments Inc., Proengin Inc., CAM2 Technologies LLC dba Redwave Technology and Rigaku Analytical Devices Inc. be accepted.

Contract Term

The five-year contract term will begin on or about June 1, 2021.

Financial Impact

The aggregate contract value will not exceed $688,000 and funds are available in the Fire Department's budget.

Responsible Department

This item is submitted by Assistant City Manager Jeff Barton and the Fire Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 50

Hazardous Materials Meters - Requirements Contract - IFB 21-085 (Ordinance S-47644)

Request to authorize the City Manager, or his designee, to enter into a contract with Advetage Solutions LLC, All Safe Industries, Inc., and Safeware, Inc. to provide hazardous materials meters and accessories for the Fire Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $1,165,000.

Summary

The City of Phoenix Fire Department (PFD) Special Operations division requires the use of hazardous materials meters as a critical part of their operation. These meters are used by emergency response personnel to detect dangerous industrial chemicals, explosive gasses, radiation, white powders, and many other substances. Hazardous materials meters allow PFD to identify dangerous substances and mitigate those hazards to protect the public. PFD's current fleet of meters are outdated, both physically and technologically, and would pose a risk to emergency personnel and the public if not replaced. The contract will allow the Fire Department to purchase meters from the manufacturers FLIR, MX908, Thermo Fisher Scientific, and RAE Systems.

Procurement Information

IFB 21-085 was conducted in accordance with Administrative Regulation 3.10. There were seven offers received by the Procurement Division on April 9, 2021 which were evaluated on price, responsiveness to specifications, and responsibility to provide the required goods and services. The bid notification was sent to 321 suppliers and was publicly posted and available for download from the City's website. Two offers were deemed non-responsive to the requirements of the solicitation.

The Deputy Finance Director recommends that the offers from Advetage Solutions LLC, All Safe Industries, Inc., and Safeware, Inc. be accepted as the lowest-priced, responsive, and responsible offers. Multiple awards are recommended to ensure the lowest overall cost to the City.

Contract Term
The five-year contract term shall begin on or about June 2, 2021.

Financial Impact
The aggregate contract value will not exceed $1,165,000. Funds are available in the Fire Department's operating budget.

Responsible Department
This item is submitted by Assistant City Manager Jeff Barton and the Fire Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 51

Digital Color Production Press - Requirements Contract - RFP 21-102 (Ordinance S-47646)

Request to authorize the City Manager, or his designee, to enter into a contract with Dahill Office Technology Corporation, dba Xerox Business Solutions Southwest, to lease a digital color production press for the City Clerk Department. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $1,150,000.

Summary

The City Clerk Department's Print, Design and Mail Services Division requires the use of a high-volume digital color production press to print thousands of brochures, flyers, door hangers, postcards, manuals, and other educational materials for critical City programs. This press is outside the scope of the Unified Print Program and is a documented exception. The current press, leased under Contract 139280, has surpassed its useful life. A new digital color production press will allow the City to reduce costs, modernize processes and adopt updated technology. The Print, Design and Mail Services Division operates on a cost recovery basis. Therefore, any achieved cost savings will directly benefit the internal City departments utilizing their services.

This item has been reviewed and approved by the Information Technology Services Department.

Procurement Information

RFP 21-102 was conducted in accordance with Administrative Regulation 3.10. Five offers were received by the Procurement Division on Dec. 4, 2020. The bid notification was sent to 45 suppliers and was publicly posted and available for download from the City's website. One offer was deemed non-responsive to the requirements of the solicitation.

The offers were scored by a five-member evaluation panel based on the following criteria worth 1,000 points:

- Publishing System Capabilities - 250 points
- Digital Workflow Solution - 150 points

- Training - 150 points
- Full-Service Maintenance - 150 points
- Firm and Key Personnel Experience, Qualifications, and References - 100 points
- Pricing, Financing and Lease Agreement - 200 points

The offeror scores are as follows:

- Xerox Business Solutions Southwest - 689 points
- Konica Minolta - 657 points
- Indigo America (HP 7eco) - 640 points
- Indigo America (HP 7K) - 618 points

The Deputy Finance Director recommends the offer from Xerox Business Solutions Southwest be accepted as the highest-scored, responsive and responsible offer.

Contract Term
The five-year contract shall begin on or about June 15, 2021.

Financial Impact
The aggregate contract value will not exceed $1,150,000. Funds are available in the City Clerk Department's operating budget.

Responsible Department
This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 52

Pension Actuarial Software - EXC 20-098 (Ordinance S-47616)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 153021 with GovInvest, Inc., for the purchase of Pension Actuarial Calculation Software for the Finance Department. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $150,000.

Summary
This contract provides the Finance Department with a cloud-based pension actuarial calculator that is used to perform real-time analysis related to proposed changes and their potential impacts to the City's pension obligations, including the Public Safety Personnel Retirement System and the City of Phoenix Employees' Retirement System. The additional expenditures are for two years of services allowing the Finance Department to utilize the calculator to analyze options related to the City's pension obligations.

Contract Term
The contract term is July 1, 2020 through June 30, 2023.

Financial Impact
Upon approval of $150,000 in additional funds, the aggregate value of the contract will not exceed $225,000. Funds are available in the Finance Department's budget.

Concurrence/Previous Council Action
This contract was originally approved by City Council on May 20, 2020.

Responsible Department
This item is submitted by City Manager Ed Zuercher and the Finance Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 53

Carrier and Broadband Provider Services (Ordinance S-47655)

Request to authorize the City Manager, or his designee, to enter into a Letter of Agreement with CenturyLink Communications LLC - Lumen Technologies Group, Cox Arizona TelCom LLC - Cox Communications, Verizon Business Network Services, Inc. and Zayo Group to continue to purchase carrier and broadband provider services for departments Citywide in an amount not to exceed $3,150,000. This authorization is needed to continue existing carrier and broadband provider services while the City adopts the new State of Arizona cooperative agreements. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

City departments utilize carrier and broadband provider services for telecommunication lines, circuits and services used across the City. Services include internet, phone lines, data circuits and distributed denial of service protection. The usage of these technologies is critical to the operations of all City departments. Services are procured utilizing the State of Arizona cooperative agreements, which offer significant cost savings due to the benefit from local government pricing and volume discounts. This request is for authorization for an interim agreement to allow the City to pay for monthly carrier and broadband services while the City adopts the new State of Arizona cooperative agreements. These expenses are essential to the operations of the City, as they provide telecommunication lines, circuits, and services used to satisfy a variety of needs across the City.

Contract Term

The term will extend through Dec. 31, 2021. This request will allow adequate time for the City to enter into and negotiate linking agreements and obtain City Council authorization to adopt them.

Financial Impact

The $3,150,000 request is based on current usage to cover a seven-month period. Funds are available in various City departments' budgets.

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the Information Technology Services Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE

ORDINANCE S-

AN ORDINANCE AUTHORIZING TO ENTER INTO A LETTER OF AGREEMENT WITH CENTURYLINK COMMUNICATIONS LLC- LUMEN TECHNOLOGIES GROUP, COX ARIZONA TELCOM LLC- COX COMMUNICATIONS, VERIZON BUSINESS NETWORK SERVICES, INC. AND ZAYO GROUP, TO CONTINUE TO PURCHASE CARRIER AND BROADBAND PROVIDER SERVICES WHILE THE CITY ADOPTS THE NEW STATE OF ARIZONA COOPERATIVE AGREEMENTS; FURTHER AUTHORIZING THE CITY CONTROLLER TO DISBURSE FUNDS.

_____

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

SECTION 1. The City Manager or his designee is authorized to enter into a Letter of Agreement with CenturyLink Communications LLC – Lumen Technologies Group, Cox Arizona TelCom LLC – Cox Communications, Verizon Business Network Services, Inc. and Zayo Group, to continue to purchase carrier and broadband provider services for departments Citywide in an amount not to exceed three million one hundred fifty thousand dollars ($3,150,000). The term will extend through December 31, 2021.

SECTION 2. The City Controller is authorized to disburse all funds for the purposes of this ordinance.

DRAFT

PASSED by the Council of the City of Phoenix this 2nd day of June, 2021.

_____
MAYOR

ATTEST:

_____
Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

BY: _____
_____ DRL

REVIEWED BY:

_____
Ed Zuercher, City Manager

DRL:rb:**LF21-1397**:6/2/21:2257857_1

DRAFT

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 54

Authorization for Additional Payment Authority for Outside Counsel - RFP 19-LAW-001 (Ordinance S-47657)

Request to authorize the City Manager, or his designee, to add additional payment authority in an amount of $1.7 million to provide outside counsel services to the City on an as-needed basis as determined by the City Attorney. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

On June 5, 2019 Council authorized the City Attorney to enter into agreements with firms who were placed on a list to be engaged to represent the City on a case-by-case basis through Letters of Engagement. The City Code authorizes the City Attorney to enter into agreements to provide legal services for the City of Phoenix. As needed, the City Attorney may also contract for other legal services, including services of attorneys, expert witnesses, and other legal advisors or consultants consistent with the authority granted in the Phoenix City Code, sections 2-10 and 43-2. The City has had unexpected large claims and lawsuits including cases going to the Arizona Supreme Court that have resulted in an increase in expenditures over the last year. June is the final month of a two-year contract and the additional spending authority is necessary to timely pay the incurred legal fees owed to outside counsel to defend the City.

Financial Impact

With the $1.7 million in additional funds, the revised aggregate value is now $18,700,000. Funds are available in various department budgets, including the Law Department and Self-Insurance Fund.

Responsible Department

This item is submitted by City Manager Ed Zuercher and the Law Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 55

Gila River Indian Community Gaming Grants (Ordinance S-47639)

Request to authorize the City Manager, or his designee, to apply, accept, and if awarded, enter into related agreements for up to $6,870,730.76 in new funding from the Gila River Indian Community (GRIC) under the 2021 funding cycle. Further request authorization for the City Treasurer to accept and the City Controller to disburse funds as directed by GRIC in connection with these grants.

Summary

If awarded, these monies would be applied, as directed by GRIC, towards the following:

City Applications

- Housing Department: $65,450 for the Phoenix Housing Connect Digital Literacy Training, which will develop a digital literacy training program for residents who recently received a device and two years of free internet service. Additionally, training will be provided to onsite residents interested in becoming Tech Ambassadors to assist their neighbors who need individual assistance.
- Neighborhood Services Department: $203,600 (over three years) for the Love Your Block Project, which will heighten neighborhood, business and community engagement.
- Office of Environmental Programs: $298,356 (over three years) for the Seeding Abundance and Growing Our Future project, which will provide equipment and training for consumers located in food deserts to grow their own food and develops new urban farmers resulting in improved health, reduced food insecurity and increased economic opportunities.
- Office of Sustainability: $192,000 (over three years) for the Cool Kids Cool Corridors - A Children's Health Project, which will implement cooling strategies and vegetation to improve the public health of students.
- Parks and Recreation Department: $20,100 for the Pueblo Grande Museum Outdoor Exhibits Renovation, which will renovate two outdoor exhibit areas, the reconstructed pit houses and the demonstration archeological dig site on the grounds of Pueblo Grande Museum.
- Phoenix Fire Department: $76,189.42 for the Special Events Emergency Response

Vehicle program, which will enhance emergency medical response capabilities within the footprint of special events with limited vehicle access due to crowd congestion or space restriction.

- Phoenix Police Department: $269,043.34 for the Officer Safety Package, which will provide additional night vision goggles and protective equipment needed to effectively protect officers and citizens within the Phoenix Metropolitan area.
- Public Transit Department: $85,000 for the 302 N. 1st Avenue Parking Garage Electric Vehicle (EV) Charging Stations project, funding will be used to purchase and install six EV charging stations in the Public Transit owned 302 N. 1st Avenue (Public Transit headquarters) parking garage.
- Public Transit Department: $299,850 (over two years) for the Transit Bus Shelter Safety Lighting Program, which will expedite and improve lighting systems for transit bus shelters to provide and improve customer experience and increased public safety for the transit-dependent populations in Phoenix.
- Public Works Department: $9,920 for the Virtual Compost Facility Tour in the Solid Waste Section, which will fund an educational tour of a compost facility to be posted online to the public.

Non-Profit Applications

- 19North Community Alliance: $237,000 for the Accelerating Economic Development through Transit Oriented Development, which will implement the recommendations outlined by the City of Phoenix in the 19North Transit Oriented Development Policy Plan.
- A New Leaf, Inc.: $100,000 for A New Leaf's Workforce Development Services, which will expand service capacity through a Workforce Central program office location in Phoenix to promote and assist with employment, job readiness, and economic security for community members.
- Arizona Center for Nature Conservation/Phoenix Zoo: $150,000 (over three years) for The Pride Campaign-Predator Passage, the Predator Passage, the Africa Trail Expansion will be the Zoo's largest capital project to date, spanning six acres and resulting in an immersive experience for guests featuring new, up-close animal viewing of lions, hyenas, leopards, meerkats, wart hogs, fennec fox and more. To include educational components and conservation, species survival efforts.
- Amanda Hope Rainbow Angels: $25,000 for the Moms Mentoring Program, which will provide mentoring for moms whose children are battling cancer and other life-threatening diseases.
- Arizona Foundation for Women: $25,000 for the SHE Leads program, a Women's Leadership Development Certificate Program.
- Assistance League of Phoenix: $50,000 for the Operation School Bell Wardrobes for Children in Poverty program, which will provide new school wardrobes, including

a hygiene kit and new book to very low-income grade K-8 children attending over 90 Phoenix Metro Area high-poverty, Title 1 schools.

- Arizona Helping Hands: $100,000 (over two years) for the Basic Needs Program, a signature program of Arizona Helping Hands by providing beds and other essential items for children in foster care so they can lead healthy and safe lives.
- Arizona Humane Society: $500,000 (over two years) for Arizona Humane Society's Campaign to Transform Animal Welfare, which will transform Maricopa County from the second-worst place to be a homeless pet in the nation to the best, the Arizona Humane Society (AHS) proposes a replacement of its deteriorating Sunnyslope Campus with the Central Campus & Animal Medical Center. Working as a comprehensive system of care with the Nina Mason Pulliam Campus for Compassion, the Central Campus & Animal Medical Center will enhance AHS' life-saving abilities.
- Arizona Science Center: $50,000 for the STEM Education Programs for Under Served Youth program, which will help deliver essential STEM education programs including Focused Field Trips and Science on Wheels to children from Title I schools in 2022.
- Arizona Sustainability Alliance: $47,499 for the Sow It Forward: Vertical Garden Program, which will mitigate food insecurity by improving access to fresh, healthy produce and provide food and farmers market education to students in low-income and Title I K-12 schools.
- Arizona Autism United: $120,000 (over two years) for the Bilingual Family Support Specialist to serve more local families affected by developmental disabilities and to strengthen access to critical service among under served communities.
- Ballet Arizona: $30,000 (over three years) for the DanceAZ Program, which will deliver high-quality arts education during the next three school years, annually engaging approximately 100 low-income, under served students (grades 3-5) attending Maricopa County Title I elementary schools.
- Banner Health Foundation: $500,000 (over three years) for the Center for Clinician Resiliency program, which will seek to build resiliency and reduce burnout in clinicians across their health care system. This project will reduce the stigma of mental/behavioral health concerns and build wellness into regular routines and work flows through education and training of resiliency champions, retreats, respite opportunities and counseling.
- Barrow Neurological Foundation: $50,000 for The Barrow Concussion & Brain Injury Center Domestic Violence Program, which will provide medical treatment and community outreach support, in the form of cognitive retraining and education, for the victims of domestic violence, living in shelters, in Maricopa County.
- Big Brothers Big Sisters of Central Arizona: $30,000 for the Making More Matches: Getting Youth off the Wait List program, which will provide youth mentoring.

- Boys & Girls Club of the Valley (BGCAZ): $100,000 for the Safe, Healthy and Successful Kids Program, which will help to improve the academic success, life skills, safety, health and well-being of at least 10,000 youth attending BGCAZ's 24 Clubs throughout the Valley.
- Boys Hope Girls Hope of Arizona: $35,000 for the Scholar Success program, which will help high achieving students living in poverty get to and through college.
- Children's Museum of Phoenix: $300,000 (over three years) for the Children's Museum of Phoenix's Free First Friday Nights and Innovation Fund Initiatives. This initiative opens the museum to the public for ten free nights per year serving 25,000 people, as well their Innovation Fund, which enables the museum to routinely create and update imaginative and research-based exhibits, activities and programs.
- Cihuapactli Collective: $300,000 (over three years) for the Nurturing Community Wellness through Comadrismo program, which will provide capacity building and general support aimed at promoting health and wellness among urban Indigenous Peoples.
- Civitan Foundation, Inc.: $125,884 for the MIDTOWN: Employment and Life-Skills Opportunities for Developmentally Disabled Arizonans, which will address the disproportionate challenges and barriers to employment, displacement from quality programs due to the pandemic, and barriers to life-skills development that intellectually and developmentally disabled Arizonans face. Funding will support a large capital project at MIDTOWN that will transform the Northeastern corner of the Coronado Neighborhood, and provide major economic development for disabled Arizonans.
- Duet: Partners in Health & Aging: $30,000 for the Support for Non-English-Speaking Kinship Families. Funding will help secure a full-time bilingual social worker to meet the increased demand of Duet's non-English speaking kinship families in crisis who need a coordinated approach to navigating the holistic needs of their families and provide case management to grand families in crisis.
- Educare Arizona: $50,000 for the Child Development Association Certificate: A Two-Generation Anti-Poverty Program, which will enable low-income individuals, primarily mothers, to begin new careers while improving early childhood education for thousands of young children in Arizona.
- Elevate Phoenix: $30,000 for the Improving the Lives and Futures of Low-Income Urban Youth and Families program, which will help Elevate Phoenix improve the academic success, life skills, literacy skills, health, well-being and future outcomes for low-income, at risk, urban youth and their families.
- Esperanca, Inc.: $10,000 for the Health Literacy Education for Low-Income Latino Children, Adults, and Seniors program, which will support the delivery of health literacy programs regarding nutrition, physical activity, chronic disease self-

management, such as diabetes, and oral health to reduce the prevalence of obesity, diabetes, and poor oral health that disproportionably affect low-income Latino children, adults, and seniors.

- Foundation for Senior Living (FSL): $25,000 for the FSL Nutrition Program for Low-Income Seniors, which will support FSL's efforts to reduce food insecurity and improve the health outcomes of an estimated 1,000 unduplicated low-income seniors, adults with disabilities, and homebound adults through the provision of 70,000 hot, nutritious meals.
- Furnishing Dignity: $20,000 for the Essential Home Furnishings program, which will provide complete home furnishings for low-income children, youth, adults and families successfully transitioning out of homelessness or foster care into self-reliance. Everyone deserves the comforts of home. Through in-kind donations of gently used home furnishings and community support, Furnishing Dignity's Essential Home Furnishings program makes this a reality for those on their pathway to self-sufficiency and success.
- Girl-Scouts-Arizona Cactus-Pine Council: $25,000 for the Girl Scout Program, which will support Girl Scout programming that promotes academic achievement, mental wellness, and overall positive life outcomes for girls in Maricopa County.
- Greater Phoenix Chamber Foundation: $100,000 (over two years) for the Workforce Collaboratives program, which will strengthen the alignment between education and businesses, addressing the talent shortage for high wage, high demand careers and improving the economic prospects of 2,000 individuals.
- Greater Phoenix Urban League, Inc.: $300,000 (over three years) for the Summer Youth Empowerment Program, which will support funding for a five-year program.
- Hope Community Services: $25,000 for the Horses Healing Kids Equine Therapy Program, which will expand HCS's successful equine therapy for children who have experienced extreme trauma including severe violence, neglect and/or sexual, physical and emotional abuse.
- Hushabye Nursery: $28,228 for the Healthy Families, Healthy Communities program, which will provide neonatal abstinence syndrome (NAS) infant and caregiver treatment for five families.
- Justa Center: $30,000 for the Improving the Health of Homeless Seniors program which will hire a full-time nurse for Justa Center's on-site clinic to provide needed services for homeless seniors in Phoenix.
- Life More Abundantly: $15,000 for the Family Health and Wellness STD Testing Program, which will support staffing, STD testing kits and processing, supplies, and brochures for STD testing in the South Phoenix Community where the rates are highest and the health care resources are scarce and costly.
- Lights Camera Discover: $195,000 (over three years) for the Lights Camera Discover Youth STEAM Workshops, which will allow them to purchase much

needed supplies to facilitate their youth programs and assist with program implementation.

- Live and Learn Program: $20,000 for the COVID-19 Relief Program, which will provide funding to continue the COVID-19 Relief Program, the program offers women in poverty a path back to stability and employment, and demand remains high.
- Los Ninos Hospital Inc., DBA Innovative Home Health Nursing Services: $64,348 (over two years) for the Home Health Nursing Technology Services, which will create efficiency and improve patient care by converting patient paper processes to patient electronic processes.
- Lost Boys Center for Leadership Development: $205,500 (over three years) for the Youth Education & Leadership Development for Second-Generation Sudanese Refugees program, which will provide a breadth of educational, social, and leadership opportunities for second-generation Sudanese refugees so they may thrive within their families, schools, and Arizona communities.
- Maggie's Place, Inc.: $40,000 for the Family Success Center for Homeless Pregnant Women program, which will provide supportive services to more than 250 mothers and children.
- MentorKids USA: $20,000 for the iLEAD Program, which will help youth (9th - 12th grade) become leaders in their lives, their families, and their neighborhoods.
- Million Dollar Teacher Project: $90,000 (over three years) for the Title 1 Tech program, which funding will be used to purchase and distribute computers, laptops, hotspots to disadvantaged students in the Phoenix metro area to facilitate their distance learning.
- Native American Connections: $25,000 for the Phoenix Indian School Visitor Center, which will provide funding for the Phoenix Indian School Visitor Center, whose purpose is to tell the untold story of the Phoenix Indian School and its alumni to a wide community audience and to show how this story relates to larger history of American Indian Boarding schools and Indian history in the Southwest and nationally.
- OCJ Kids: $25,000 for the Cuddle Bags Distribution program, which will reduce children's trauma after they are removed from abusive homes and as they transition into foster care.
- Phoenix AKArama Foundation: $193,048 (over four years) for the Ultimate Technology Extra-Curricular Education Programs, which will provide extra-curricular educational programs for under-served communities with an emphasis on STEM education.
- Phoenix Public Library Foundation: $100,000 for the Investing in Literacy, Learning and Creativity program, which will support Phoenix Public Library Foundation's Capital Campaign to bring exceptional preschool learning environments to our

libraries. Funding would be used to improve and enhance Children's Place at Burton Barr Central Library. The first five years is a critical time in a child's life; 90 percent of a child's brain development happens by age five. Providing free, stimulating, and interactive environments for children is key to supporting school readiness skills. This funding would enhance and update the Storybook Garden at Burton Barr Central Library.

- ResilientME, Inc.: $40,000 (over two years) for the R's of Resilient Me program, which will provide prevention programming rooted in evidence-based practices for developing resiliency to youth transitioning from foster care, a population particularly vulnerable to homelessness and incarceration.
- Rosie's House: $100,000 (over four years) for the $5 million More than Music Campaign, which will support the purchase, renovation and equipping of a permanent facility that will help Rosie's House increase enrollment and create relevant programs that encourage young people from low-income neighborhoods to think critically, solve problems in inventive ways, collaborate, and ultimately become the well-rounded intellectual talent needed to ensure Arizona's future.
- Southern Arizona Association for the Visually Impaired (SAAVI): $35,000 for the Real Empowerment through Achievement and Learning (REAL) Program for Blind Children program, which will continue to expand educational programming for blind children throughout Phoenix.
- SEED SPOT: $103,875 for the Accelerating Economic Recovery through Entrepreneurship program, which will ensure that entrepreneurs and small business owners in the Phoenix metro area can access the support they need to accelerate an equitable economic recovery.
- SOUNDS Academy: $40,000 (over two years) for the Comprehensive Music Education program, which will extend high quality music education programming to 395 youth traditionally under-represented in classical music and under-served through music education opportunities in school.
- St. Joseph the Worker: $15,000 for the Employment Without Barriers program, which will provide quality employment opportunities to individuals experiencing homelessness and those facing extreme poverty across Maricopa County.
- St. Mary's Food Bank: $100,000 for the St. Mary's Food Bank Skills Center, which will improve the lives of homeless, formerly incarcerated, and other vulnerable people by training them for jobs in the food industry or a warehouse and helping with job placement.
- Televerde Foundation: $100,000 (over two years) for the Prepare Achieve and Transform for Healthy Success (PATHS) program, a workforce development program for currently and formerly incarcerated women focusing on personal wellness, workplace readiness, employment strategies financial literacy, lifelong learning and mentoring.

- The Opportunity Tree: $25,000 for the Youth Transition Program - Self Sufficiency for Youth with Intellectual and Developmental Disabilities (IDD) program, which will continue to expand the program and provide employment training for youth with IDD.
- The Sagrado: $60,840 for the Conscious Development program, which will activate and replicate an outdoor meditation space created to connect community members with nature, each other, and themselves through healing arts.
- Upward for Children and Families: $30,000 for the Lifting Children Upward Nursing Program, which will provide medically vulnerable children, and potentially adults, who have disabilities with on-site nursing care so they can attend Upward's Special Education School, Child Care program and Adult Day Treatment program.
- USO Arizona: $90,000 (over three years) for USO Youth Programs and USO Phoenix Military Entrance Processing Station (MEPS), which will strengthen and connect military service members and their families through programs and services that boost morale, provide a sense of community, and build resiliency among children and families. Funding will support USO Arizona's youth programming including Kids Camp programs (arts, recreation, and educational programs) and services for military service members through their Phoenix MEPS location.
- Valley of the Sun YMCA: $50,000 (over two years) for the Childcare, Preschool, and Meal Programs for low-income Phoenix children program, which will provide childcare, preschool, and meals to children from low-income Phoenix families.
- Year Up Arizona: $20,000 for the Supporting Youth Employment and Economic Mobility: Year Up Arizona's Workforce Development Program, which will support Year Up Arizona's core Academics, Program, and Student Services program elements to prepare their students to compete for careers and thrive in a rapidly evolving economy.

The gaming compact entered into 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 Gila River Indian Community 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 purpose 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 Ed Zuercher and the Office of Government Relations.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 56

Fort McDowell Yavapai Nation Gaming Grants (Ordinance S-47649)

Request to authorize the City Manager, or his designee, to apply, accept, and if awarded, enter into related agreements for up to $836,200 in new funding from Fort McDowell Yavapai Nation under the 2021 funding cycle. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, funds by Fort McDowell Yavapai Nation in connection with these grants.

Summary

If awarded, these monies would be applied, as directed by Fort McDowell Yavapai Nation towards the following:

City Applications

- Community and Economic Development Department: $50,000 for the Reinvest Maryvale Campaign, which will attract meaningful investment and development interest in the Maryvale Village, that will provide education, recreational and economic opportunity to the residents and visitors of Maryvale.
- Housing Department: $27,460 for the PHXHousing Connect Tech Ambassador Program, which will develop a new program for up to 800 senior residents at the city's public housing properties who recently received a device and free internet service. Funding will be used to develop a Tech Ambassador program to provide continued support to the city's senior public housing residents by supporting one year of peer-to-peer digital literacy skill training and isolation-reducing social activities.
- Human Services Department: $149,479 for the Phoenix Youth R.I.S.E. program, which will provide youth of Phoenix, ages 16 to 24, an opportunity to participate in a paid, four-week work experience/internship with a community business during the summer months. Funding will allow for 107 more youth to be served and in turn support the economic and community development needs in Phoenix.
- Office of Environmental Programs and Community and Economic Development Department: $289,000 (over two years) for the Phoenix Urban Agriculture, Climate Resilience, and Entrepreneurship (ACRE) program, which will strengthen the food production step of the local food system by helping farms increase climate resilience, growing new farm entrepreneurs and worker cooperatives, and training the next generation of growers through a fellowship program that embeds fellows

with farms and other entrepreneurs.

- Phoenix Fire Department: $84,361 for the Phoenix Fire Department Regional Paramedic Training Unit Vehicle, funding will be used to acquire a dedicated paramedic training vehicle that will provide a consistent and reliable apparatus for paramedic students to respond to EMS incidents to practice response, apply knowledge and perform skills necessary to effectively provide medical treatment in a pre-hospital setting prior to certification.

Nonprofit Applications

- Aunt Rita's Foundation: $10,000 for the Ending the HIV Epidemic: Prevention, Education, Testing, and Outreach program, which would educate individuals about HIV, prevent HIV transmission, promote HIV testing, provide resources to access health care, medications, housing, substance use treatment, legal aid, etc., and heighten the awareness of HIV through virtual and in-person community events.
- Arizona Educational Foundation: $25,000 for the Our World: Educators for Indigenous Students program, which will provide training for teachers and administrators serving Indigenous students throughout the City of Phoenix and Maricopa County.
- Arizona Foundation for Women: $25,000 for the SHE Leads! Leadership Development for Women program, which seeks to amplify its impact by creating a cohort of SHE Leads! participants from BIPOC communities who have often been marginalized by past leadership programs.
- Arizona Helping Hands: $10,000 for the Basic Needs program, which will provide beds and other essential items for children in foster care so they can lead healthy and safe lives.
- Arizona Humane Society: $8,000 for the Humane Teens for a Humane Future program, which will benefit the Humane Teens program during the 2022-2023 school year, allowing Arizona Humane Society to enroll up to 40 teens in their STEM-related internship program.
- Camp Colley: $27,900 for the Phoenix Youth to Camp Colley 2021 program, which will fund undeserved Phoenix children to attend Camp Colley in 2021 for their positive learning and growth in nature. Program objectives include increasing social -emotional skills and environmental education/learning.
- Esperanca, Inc.: $10,000 for the Health Literacy Education for Low-Income Latino Children, Adults and Seniors program, which will support Esperanca's delivery of evidence-based health literacy programs regarding nutrition, physical activity, chronic disease self-management, such as diabetes, and oral health to reduce the prevalence of obesity, diabetes and poor oral health that disproportionately affect low-income Latino children, adults, and seniors. Esperanca also delivers meals and food items to Latino seniors in the programs to reduce food insecurity and promote

healthy eating.

- Foundation for Senior Living (FSL): $15,000 for the FSL Nutrition Program for Low-Income Seniors program, which will support FSL's efforts to reduce food insecurity and improve the health outcomes of an estimated 1,000 unduplicated low-income seniors and homebound adults with disabilities through the provision of 70,000 hot, nutritious meals in Fiscal Year 2022.
- New Pathways for Youth: $50,000 for the Holistic Youth Transformation Program, which will provide a comprehensive, evidence-based programming to improve the educational outcome of at-risk students attending Title I schools in Maricopa County. Funding will serve more than 600 new Title I students over the next five years, more than doubling their organizational impact.
- Ronald McDonald House Charities of Central and Northern Arizona: $25,000 for the Keeping Families Together program, which will offer families a welcoming and safe place to stay, meals, and a support system of other families who are also experiencing a difficult time. Funding would fund 234 nights of rest for families and would allow them to stay close to their ill or injured children receiving specialized care at a Phoenix-area hospital.
- Valley of the Sun YMCA: $20,000 for the Childcare, Preschool, and Meal Programs for low-income Phoenix children program, which will provide childcare, preschool, and meals to children from low-income Phoenix families at no cost.
- Year Up Arizona: $10,000 for the Closing the Opportunity Divide in Phoenix: Support for Year Up Arizona's Workforce Development Program, which support Year Up Arizona's Gateway Community College location. They will enroll up to 160 young adults in the program preparing them to compete for careers and thrive in a rapidly evolving economy.

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 public including education, public safety, health, environment, economic and community development. The Fort McDowell Yavapai 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 Fund dollars are required. Entities that receive gaming grants are responsible for the management of those funds.

Responsible Department

This item is submitted by City Manager Ed Zuercher and the Office of Government Relations.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 57

Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-47627)

Request to authorize the City Manager, or his designee, to transfer retirement funds for Debbie Foster in the amount of $81,420.32 to the Arizona State Retirement System, and further request authorization for 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 (ASRS) upon approval by the Council. The following former City of Phoenix employee has requested transfer of the balance of their credited service:

Foster, Debbie: $81,420.32

Concurrence/Previous Council Action

This item was approved by the COPERS Board at its May 6, 2021 meeting.

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the Retirement Office.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 58

Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-47635)

Request to authorize the City Manager, or his designee, to transfer retirement funds for Ildiko Palmer in the amount of $101,605.92 to the Arizona State Retirement System, and further request authorization for 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 (ASRS) upon approval by the Council. The following former City of Phoenix employee has requested transfer of the balance of their credited service:

Palmer, Ildiko: $101,605.92

Concurrence/Previous Council Action

This item was approved by the COPERS Board at its May 6, 2021 meeting.

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the Retirement Office.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 59

Fiscal Year 2021-2022 Head Start Birth to Five Coronavirus Response and Relief Supplemental Appropriations Act Funding (Ordinance S-47604)

Request to authorize the City Manager, or his designee, to apply for, accept, and, if awarded, enter into any necessary agreements for the Head Start and Child Care Partnership grants in the amount of $1,038,644. Further request to authorize the City Treasurer to accept, and the City Controller to disburse all funds related to this item. One-time funding is provided through the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act.

Summary

The Office of Head Start received $25 million as a portion of the CRRSA Act and has allocated $1,038,644 of those funds to the City of Phoenix, as the grantee, to use in the prevention, preparation and response to the COVID-19 pandemic. This funding will be used on activities, materials, and supplies that may include but are not limited to mental health and wellness for families and staff, employment of additional staff, professional development, provisions to deliver meals and snacks to children in school, and sanitizing the learning and work environments. This is a non-competitive supplemental application.

The funding will be allocated based on the number of slots per program listed below:

Head Start Education Service Providers (2,963 slots) = $888,900
Early Head Start Home-Based (300 slots) = $90,000
Early Head Start Child Care Partners (188 slots) = 56,400

As the grantee, the City of Phoenix will retain $3,344 to be used for personal protective equipment and sanitizing solutions for city staff to use when meeting with parents, visiting school campuses and participating in community events.

The contracted Head Start Education Service Providers and Early Head Start - Child Care Partners are listed below:

Education Service Providers
Alhambra Elementary School District

Booker T. Washington Child Development Center
Deer Valley Unified School District
Fowler Elementary School District
Greater Phoenix Urban League
Roosevelt Elementary School District
Washington Elementary School District

Child Care Partners
Cactus Kids Child Care Center
Fusion Minds dba Immanuel Care for Children
Out of This World Christian Child Care

Contract Term
The CRRSA funding will be received July 1, 2021, and must be expended by March 31, 2023.

Financial Impact
The estimated aggregate contract total for the remaining three years is $123,587,802. There is no impact on the General Fund. One-time funding is provided through the CRRSA Act.

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

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 60

Head Start Birth to Five Program Behavior and Educational Coaching Services Qualified Vendor List - RFQu-20-EDU-40 (Ordinance S-47610)

Request authorization for the City Manager, or his designee, to award and enter into contracts with responsive offerors to the Request for Qualifications (RFQu) for classroom behavior, educational coaching, and professional development services. Further request authorization for the City Controller to disburse funds in an aggregate amount not to exceed $655,000 over the life of the Qualified Vendor List (QVL). Funding is available from the U.S. Department of Health and Human Services, Administration of Children, Youth and Families. There is no impact to the General Fund.

Summary

The Human Services Department's Head Start Birth to Five program is committed to providing positive learning environments for children to learn and grow. In collaboration with the Head Start Birth to Five behavior support specialist, behavioral and educational coaches will work together to support children and teachers by implementing positive age-appropriate interventions in classrooms, socialization sites, and childcare centers to ensure safe and nurturing environments. Coaches will work with teachers to implement effective classroom management techniques and strategies for supporting children with challenging behaviors. Coaches will also help children learn to regulate their behaviors, role-model appropriate behaviors, and facilitate positive social interactions among groups of children. Professional development will include training for teachers on understanding the significance of different types of behaviors and how to effectively and appropriately manage those behaviors.

Procurement Information

Request for Qualifications, RFQu-20-EDU-39 was issued on Nov. 20, 2020. The solicitation was conducted in accordance with Administrative Regulation 3.10 to establish a QVL. The Human Services Department received two offers on Jan. 4, 2021. Per Phoenix City Code § 43-15 (I), all statements of qualifications were rejected.

RFQu-20-EDU-40 was issued on Jan. 29, 2021. The solicitation was conducted in accordance with Administrative Regulation 3.10 to establish a QVL. The Human

Services Department received five offers on March 19, 2021. One offer was determined non-responsive.

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

Criteria and Possible Points:

- Method of Approach - 400 possible points.
- Experience and Expertise of Key Personnel - 300 possible points.
- Cost/Budget - 300 possible points.

Evaluation Committee Scoring Consensus:

- Touchstone Behavioral Health DBA Touchstone Health Services: 883 points.
- Southwest Human Development, Inc.: 679 points.
- Life Health and Wellness Health Care: 602 points.
- Arizona Autism United, Inc.: 580 points.

The Evaluation Committee recommends the following offerors be added to the QVL:

- Southwest Human Development, Inc.
- Touchstone Behavioral Health DBA Touchstone Health Services.

Contract Term
The initial contract term will begin on or about July 1, 2021 and end June 30, 2024 with one two-year option to extend. The extension option may be exercised at the discretion of the City Manager or designee.

Financial Impact
Estimated annual expenditures are $131,000. Expenditures are not to exceed $655,000 over the life of the QVL. Funding is available from the U.S. Department of Health and Human Services, Administration of Children, Youth and Families. No General Funds are required.

Concurrence/Previous Council Action
The Head Start Birth to Five Parent Policy Council approved the request to release the Classroom Behavior and Education Coach Services RFQu on July 31, 2020.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 61

Retroactive Authorization to Accept and Disburse Grant Funding from JPMorgan Chase & Co. (Ordinance S-47624)

Request to authorize the City Manager, or his designee, to retroactively accept JPMorgan Chase & Co. grant funds totaling $150,000. Further request authorization to enter into an agreement with the Phoenix Parks Foundation to serve as the fiscal agent to receive these funds. Additionally, request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item for the life of the grant.

Summary

Since 2013, the City of Phoenix Youth Reach and Invest in Summer Employment (Phoenix Youth RISE) program has placed more than 600 youth between the ages of 16 to 24 in summer work experiences. The program provides subsidized wages for youth to work up to 80 hours with an employer during the summer and includes work readiness training, career exploration and mentorship. The program was paused in 2020 due to the COVID-19 pandemic and will return this summer. This year, Phoenix Youth RISE anticipates placing 300 qualified youth applicants in paid internships due to increased philanthropic support. In 2019, the program placed 143 youth applicants in paid summer work experiences.

Annually, JPMorgan Chase & Co. partners with U.S. cities to increase the number of youth who have access to quality summer work experiences to place them on a path to greater economic mobility. In order to be a recipient of the funds, JPMorgan Chase & Co. requires that a Memorandum of Understanding (MOU) be executed with a 501 (c)3 nonprofit partner that agrees to serve as the applicant and fiscal agent for the grant.

In March 2021, the Human Services Department executed a one-year MOU with the Phoenix Parks Foundation, to serve as the fiscal agent for grant funds awarded on behalf of the Phoenix Youth RISE program.

If awarded, $150,000 will support summer work experiences for 117 youth. The cost per youth is approximately $1,200, including the cost of wages, interest and skill assessments, training, mentoring and supportive services.

Contract Term
The grant period is from May 1, 2021, through June 30, 2022.

Financial Impact
There is no impact to the General Fund. Funding will be provided by JPMorgan Chase & Co. No matching funds are required.

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

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 62

Retroactive Application for Human Services Department to Apply for Pacific Premier Bank Grant Funds (Ordinance S-47626)

Request to authorize the City Manager, or his designee, to retroactively apply for and, if awarded, accept Pacific Premier Bank grant funds totaling $10,000. Further request authorization to enter into an agreement with the Phoenix Parks Foundation to serve as the fiscal agent to receive these funds. Additionally, request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item for the life of the grant.

Summary

Since 2013, the City of Phoenix Youth Reach and Invest in Summer Employment (Phoenix Youth RISE) program has placed more than 600 youth between the ages of 16 to 24 in summer work experiences. The program provides subsidized wages for youth to work up to 80 hours with an employer during the summer and includes work readiness training, career exploration and mentorship. The program was paused in 2020 due to the COVID-19 pandemic and will return this summer. This year, Phoenix Youth RISE anticipates placing 300 qualified youth applicants in paid internships due to increased philanthropic support. In 2019, the program placed 143 youth applicants in paid summer work experiences.

Annually, Pacific Premier Bank's Charitable Giving Program addresses economic disparities by supporting opportunities which enable socioeconomic advancement through job training and workforce development initiatives. In order to be a recipient of the funds, Pacific Premier Bank requires that a 501 (c)3 nonprofit partner agree to serve as the fiscal agent for the grant.
In March 2021, the Human Services Department executed a one-year Memorandum of Understanding with the Phoenix Parks Foundation to serve as the fiscal agent for grant funds awarded on behalf of the Phoenix Youth RISE program.

If awarded, $10,000 will support summer work experiences for eight youth. The cost per youth is approximately $1,200 including the cost of wages, interest and skill assessments, training, mentoring and support services.

Contract Term
The grant period is from May 1, 2021 to April 30, 2022.

Financial Impact
There is no impact to the General Fund. Funding will be provided by Pacific Premier Bank. No matching funds are required.

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

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 63

Authorization to Enter into Contract with Arizona Community Action Association dba Wildfire (Ordinance S-47643)

Request to authorize the City Manager, or his designee, to enter into a contract with the Arizona Community Action Association dba Wildfire to accept emergency utility assistance funds in an amount not to exceed $288,937 beginning July 1, 2021 through June 30, 2022. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary
Through Wildfire, Arizona Public Service, Salt River Project and Southwest Gas provide funds to the City of Phoenix for emergency utility assistance. This funding will allow the City to provide assistance to approximately 1,100 households.

Contract Term
The term of the contract will be for one year beginning July 1, 2021, through June 30, 2022.

Financial Impact
The contract total amount shall not exceed $288,937. There is no impact to the General Fund.

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

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 64

2020-21 and 2021-22 Community Development Block Grant Public Service Subrecipient Recommendations (Ordinance S-47645)

Request to authorize the City Manager, or his designee, to enter into 2020-21 and 2021-22 Community Development Block Grant (CDBG) contracts for Public Service programs for an amount not to exceed $781,550. Further request to authorize the City Controller to disburse all funds related to this item over the life of the contracts. These contracts will be funded by the U.S. Department of Housing and Urban Development (HUD).

Summary

In October 2019, the Land Use and Livability Subcommittee approved the issuance of a Request for Proposals (RFP) for CDBG funded Public Service programs for Fiscal Year (FY) 2020-21. The Public Service program provides an opportunity for nonprofits to apply for funding to deliver critical programs and services serving low- and moderate-income communities in Phoenix. The RFP priorities were Low-Income Youth Services, Support Services for Persons with Disabilities, and Senior Support Services. The process was interrupted in the spring of 2020 when the COVID-19 pandemic changed the way many nonprofits were able to provide services and programs to members of the public. On Feb. 25, 2021, the Public Service programs RFP was reissued by the Neighborhood Services Department (NSD) and closed on March 25, 2021. A total of 33 responsive applications, requesting more than $936,000, was received. Applications were evaluated and scored by the Community Development Review Committee, an 11-member independent and volunteer committee appointed by the Mayor.

Due to the number of proposals received by NSD seeking CDBG funding from the 2020-21 RFP process, on May 5, 2021, City Council approved combining the 2020-21 and 2021-22 CDBG Public Service allocations for a total allocation of $781,550 ($400,688 for the 2020-21 allocation and $380,862 for the 2021-22 allocation). This allowed the Community Development Review Committee to recommend approving a greater number of nonprofit organizations to be awarded grant funds to deliver critical public service programs beginning July 1, 2021.

Proposals were rated on a 1,000-point scale: project description/need (250 points),

proposed outcomes and objectives (250 points), program budget (250 points) and track record and capacity (250 points). Funding recommendations were developed based on the overall committee's scores.

The following lists identify the 26 organizations administering the 28 proposals the Community Development Review Committee recommended funding for a total of $781,550.

CDBG Public Service Grant Program Awardees

Low Income Youth Services:

- 1N10, Inc. dba One-N-Ten: $30,000
- Arizona Recreation Center for the Handicapped: $30,000
- Assistance League of Phoenix: $30,000
- Be A Leader Foundation: $29,325
- Big Brothers Big Sisters of Central Arizona: $30,000
- Boys & Girls Clubs of the Valley: $30,000
- Chicanos Por La Causa, Inc.: $30,000
- Child Crisis Arizona: $30,000
- Desert Mission Lincoln Learning Center: $26,000
- Elevate Phoenix: $30,000
- Future for Kids: $20,000
- G Road: $27,750
- Homeless Youth Connection: $30,000
- LifeologyAZ, Inc.: $20,703
- Neighborhood Ministries: $30,000
- New Pathways for Youth, Inc.: $30,000
- Phoenix Indian Center, Inc.: $30,000
- Sounds Academy: $20,000
- Technical Assistance Partnership of Arizona (TAP): $20,000
- TigerMountain Foundation: $30,000
- Valley of the Sun YMCA: $30,000
- Wesley Community & Health Centers: $30,000

Support Services for Persons with Disabilities:

- Raising Special Kids: $20,061
- Southern Arizona Association for the Visually Impaired: $30,000

Senior Support Services:

- Chicanos Por La Causa, Inc.: $30,000
- Duet: Partners in Health & Aging: $30,000
- Father Matters, Inc.: $27,711
- Valley of the Sun YMCA: $30,000

Contract Term
Contract terms will commence on or about July 1, 2021, through June 30, 2022, with an option to extend through Dec. 31, 2022 that may be exercised in the discretion of the City Manager or designee.

Financial Impact
There is no impact to the General Fund. These programs are funded by CDBG funding.

Concurrence/Previous Council Action
The 2020-21 CDBG Public Service and Public Facility RFP was approved by the City Council on Nov. 6, 2019.

The 2021-22 CDBG Public Service and Public Facility RFP was approved by the City Council on May 5, 2021.

The Land Use and Livability Subcommittee approved this item by a 3 to 0 vote at the May 19, 2021, subcommittee meeting.

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

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 65

Basketball Backboard Systems Preventative Maintenance and Repair - Requirements Contract - IFB 21-015 (Ordinance S-47621)

Request to authorize the City Manager, or his designee, to enter into an agreement with Arizona Courtlines, Inc. to purchase Basketball Backboard Preventative Maintenance and Repair Services for the Parks and Recreation Department. Further request to authorize the City Controller to disburse all funds related to this item. The agreement value will not exceed $178,500.

Summary

This contract will provide preventative maintenance, inspection and repair services on motorized basketball backboard systems and gym dividers, including motors, winches, cabling and other critical safety features. The Parks and Recreation Department has 62 retractable backboards, 50 height adjusters and 6 mechanical gym dividers located in 14 gymnasium sites at various locations throughout the City, which will be serviced under this contract. The basketball backboard systems and related equipment are heavily used by numerous youth and adult sports leagues and require regular maintenance and repair services to ensure their safety.

Procurement Information

IFB 21-015 was conducted in accordance with Administrative Regulation 3.10. There were three offers received by the Finance Department Procurement Division on April 16, 2021, which were evaluated on price, responsiveness to specifications and responsibility to provide the required goods and services. The bid notification was sent to 58 suppliers and was publicly posted and available for download from the City's website.

The Deputy Finance Director recommends acceptance of the offer from Arizona Courtlines, Inc. as the lowest-priced, responsive and responsible offer.

Contract Term

The five-year agreement term will begin on or about July 1, 2021.

Financial Impact

The total agreement will not exceed $178,500. Funding is available in the Parks and Recreation Department's budget.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 66

Greater Phoenix Economic Council Annual Contract (Ordinance S-47605)

Request to authorize the City Manager, or his designee, to enter into a one-year contract with the Greater Phoenix Economic Council for Fiscal Year 2021-22 for business attraction and development services. Further request to authorize the City Controller to disburse all funds related to this item. The total fee will not exceed $800,200.

Summary

The Greater Phoenix Economic Council’s (GPEC’s) mission is to attract and grow quality businesses and advocate for Greater Phoenix's competitiveness. Its efforts include marketing the region, coordination of regional prospect proposals and real estate tours, domestic and international sales missions and other strategic activities resulting in business investment in the region.

The City of Phoenix has been a member of GPEC since the organization's inception in 1989. The fee for each GPEC member in Maricopa County is calculated using the per capita rate of $0.4897, which is the same as last year, and is based on the most current population estimates from the Arizona Office of Economic Opportunity. The 2020 population estimate for Phoenix is 1,634,061. Based on this formula, the Fiscal Year (FY) 2021-22 contract amount is $800,200, which will be shared equally by the Aviation, Public Works, Water Services, and Community and Economic Development (CED) departments.

GPEC specifically collaborates with CED every year to generate prospects and attract new business investment from outside the region. As of March, for FY 2020-21, GPEC has helped locate 27 companies to the region, expecting to create more than 5,300 jobs and make capital investments totaling more than $558 million. So far, 14 of those companies have chosen to locate in Phoenix.

GPEC represents 23 municipalities in the region including Maricopa County and conducts a variety of diverse and value-added services and activities on behalf of its members. In addition to the public sector members, more than 170 private investors contribute resources to support GPEC's efforts.

Contract Term
The term of this one-year contract is July 1, 2021 to June 30, 2022.

Financial Impact
Based on the formula, the FY 2021-22 contract amount is $800,200, which will be shared equally by the Aviation, Public Works, Water Services, and CED departments.

Concurrence/Previous Council Action
The Workforce and Economic Development Subcommittee recommended approval of this item on April 28, 2021, by a vote of 3-0.

Responsible Department
This item is submitted by Deputy City Managers Mario Paniagua, Karen Peters, and Ginger Spencer and the Aviation, Public Works, Water Services and Community and Economic Development departments.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 67

Development Agreement with CapRock Partners for Installation of Public Infrastructure Improvements (Ordinance S-47629)

Request to authorize the City Manager, or his designee, to negotiate and enter into a development agreement, and any other agreements as necessary, with CapRock Partners, LLC, dba CRP LDF 55th Avenue LLC or its City-approved designee, and Southern Cross, LLC for the installation of public infrastructure improvements located along 55th Avenue from Roosevelt to Van Buren streets. Further request to authorize future City acceptance and maintenance of the public infrastructure along this alignment.

Summary

CapRock Partners, LLC, dba CRP LDF 55th Avenue LLC or its City-approved designee (Developer) has negotiated a long-term lease with the Southern Cross, LLC (Owner) of an approximately 184-acre site generally bounded by Roosevelt Street to the north, Van Buren Street to the south, Loop 202 to the west, and the 53rd Avenue alignment to the east (Site). Developer plans to develop approximately 3.3 million square feet of industrial buildings (Project). This employment-generating development could add several thousand new jobs to the Site over the next 10 years. The Project is currently under plan review in the City's Planning and Development Department with site plan approval anticipated towards the end of May 2021.

To accommodate for these new jobs and the additional traffic to the area resulting from the creation of the Project, the Street Transportation Department has required the developer to construct 55th Avenue from Van Buren Street to Roosevelt Street. The new 55th Avenue alignment will provide critical access to attract and retain new development and is listed as a future street on the City's Street Classification Map.

In order to develop 55th Avenue, an irrigation channel controlled by the U.S. Bureau of Reclamation will need to be relocated to an area outside of the future right of way (ROW). The relocation of an irrigation channel controlled by the federal government may take an excessive amount of time and is not within the City's control. In order to construct the new industrial development in a timely fashion, through a development agreement (DA), the Developer will construct the required infrastructure improvements as private improvements, but will meet all the City's public infrastructure standards.

Upon completion of the infrastructure construction, relocation of the irrigation channel outside of the ROW, the City's approval of the infrastructure improvements, and the dedication of the infrastructure improvements to the City, the required infrastructure improvements may be accepted by the City as public infrastructure improvements in the future. Terms of the DA are as follows:

- Developer will construct a new street alignment along 55th Avenue, from Van Buren Street to Roosevelt Street, to the City's reasonable satisfaction, at the Developer's sole, up-front cost and expense;
- Although 55th Avenue will initially be a private street, Developer agrees to construct the street in accordance with the City's public street standards including water and wastewater infrastructure;
- City staff will review and inspect all infrastructure improvements with the understanding that 55th Avenue, including water and sewer mains along the alignment, may ultimately become public infrastructure;
- Developer shall work with the federal government, Salt River Project (SRP) and the City (collectively, the "Parties") to relocate the irrigation channel along this future 55th Avenue alignment to an area that is outside ROW and/or is acceptable to the Parties;
- Upon relocation of the irrigation channel to its approved location and the final Plat for the Site is accepted and approved by the City, and all infrastructure improvements relating to 55th Avenue are constructed and approved by the City, the Developer may request in writing that the City accept dedication of 55th Avenue as a public street;
- Transfer of the new 55th Avenue alignment to the City shall be completed solely by the Developer;
- Should the City accept dedication of the new 55th Avenue alignment after it is completed, the City will be responsible for all future repairs and maintenance according to City Standards, as with other public streets; and
- The DA, and any other agreements as necessary, will include other terms and conditions as deemed necessary by the City.

This Project is an important economic development opportunity for Phoenix and will create several thousand new jobs over time for the community, yielding significant financial and public benefits to the City of Phoenix.

Contract Term
If approved, all public infrastructure improvements, and dedication of such improvements to the City, must be completed within 10 years.

Financial Impact

There is no immediate financial impact to the City. If the public infrastructure improvements are transferred to the City, they will be maintained by the City according to City standards.

Location

Southeast of Interstate 10 and the Loop 202 South Mountain Freeway.
Council District: 7

Responsible Department

This item is submitted by Deputy City Managers Ginger Spencer and Mario Paniagua, and the Community and Economic Development and Street Transportation departments.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 68

Amend Redevelopment and Purchase Agreement with 3DC Partners, LLC (Ordinance S-47656)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 149707 with 3DC Partners, LLC to extend the Construction Commencement Date for one additional year, to June 3, 2022. There is no expense impact as a result of this action.

Summary

In April 2019, a Redevelopment and Purchase Agreement (RPA), City Agreement 149707, was entered into with the 3DC Partners, LLC (Developer) for the sale and development of approximately 26,000 square feet of City-owned land located on the southeast corner of Central Avenue and Adams Street at 30 N. 1st St. (Site) as authorized by Ordinance S-44791. The RPA was amended on June 3, 2020 by the First Amendment to the RPA, Agreement 149707-1 (First Amendment), which extended the Commence Construction Date to June 3, 2021, updated the project description and modified the parking requirements.

The Developer intends to construct a mixed-use tower consisting of a boutique hotel with approximately 220 hotel rooms including 20 hospitality suites, approximately 50,000 gross-square-feet of commercial office space and ground floor retail. In addition, Developer will make improvements to Adams Street consistent with the City's Adams Street Activation Study. Collectively these improvements are referred to as the "Project."

The RPA included typical performance benchmarks such as commencement of construction and completion of construction. The Developer is nearing completion of the design and permitting of the Project and has spent significant funds toward the redevelopment of the Site. However, the hotel and office markets have been especially impacted by the pandemic and the financing process for the construction of the Project has taken longer than expected. As a result, Developer has requested to extend the Commence Construction Date by one additional year.

If approved, this amendment will modify Section 401.3 of the RPA to change the Commence Construction Date to June 3, 2022. All other terms and conditions of the

RPA shall remain in full force and effect.

Financial Impact
There is no expense impact as a result of this action.

Concurrence/Previous Council Action
The City Council approved Agreement 149707 (Ordinance S-44791) on June 20, 2018.

Location
30 N. 1st St.
Council District: 7

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the Community and Economic Development Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 69

Phoenix Convention Center Service Provider Relief - Consideration of Contract Term Extensions (Ordinance S-47596)

Request to authorize the City Manager, or his designee, to amend multiple Phoenix Convention Center (PCC) service provider agreements to extend the term of the contracts for two additional years, to help offset business and financial impacts of the Coronavirus pandemic.

Summary

The hospitality industry continues to struggle amidst the challenging circumstances of the global Coronavirus pandemic. In early 2020, the spread of COVID-19 began to directly impact the convention and meetings industry. Meeting planners and national associations began cancelling conventions and trade shows out of an abundance of caution. In early March 2020, the World Health Organization declared the Coronavirus outbreak a global health pandemic. This was followed by similar declarations from federal, state, and local government agencies as well as public health agencies including the Centers for Disease Control and the Arizona Department of Health Services. Additionally, the Governor's office has issued COVID-19 Executive Orders establishing guidance and criteria for hosting events. The declarations and guidance referenced above have resulted in cancellations and postponements of all large gatherings including conventions, meetings, and public events.

The Coronavirus pandemic has impacted the entire visitor and hospitality industry which includes convention centers, hotels, performing arts venues, stadiums and arenas.

At the time of the outbreak the PCC was on pace to host a record number of citywide convention groups in 2020. Since that time, a total of 247 events at the PCC have cancelled or postponed including 79 citywide conventions contracted for future years. The event cancellations equate to a loss of more than 290,000 convention attendees, 342,000 hotel room nights and $448 million in direct visitor spending. While the overall economy has begun to recover from the pandemic, the meetings and hospitality industry remains largely stalled and faces a longer road to full recovery.

The loss of convention business has significantly impacted top-line revenues for the PCC as well as the service contractors who provide exclusive services to convention center clients. These contractors provide critical and integral services as a part of our business, acting as an extension of the PCC in hosting conventions and trade shows. In Fiscal Year 2018-19, these service provider agreements generated $12.7 million in commissions to the PCC.

A majority of the service provider contracts require significant capital investments into the Phoenix Convention Center venues. The investments generally include furniture, fixtures, equipment and building infrastructure. The return on these investments would typically be achieved over the term of the contracts.

In order to offset the loss of business and allow additional time to realize a return on investment, staff recommends extending the contract term for five PCC revenue generating service provider agreements for two additional years as outlined in **Attachment A**.

Financial Impact

Extending the contract term(s) for the service providers listed in Attachment A for two additional years would result in no additional cost to the Phoenix Convention Center, however it would defer the future solicitation and implementation of new contracts.

Concurrence/Previous Council Action

The Workforce and Economic Development Subcommittee recommended approval of this item by unanimous vote at its April 28, 2021 meeting.

Location

Phoenix Convention Center, 100 N. 3rd St.
Council Districts: 7 and 8

Responsible Department

This item is submitted by Deputy City Manager Inger Erickson and the Phoenix Convention Center Department.

Attachment A

Phoenix Convention Center Department Service Provider Contracts

Contractor	Service	Contract No.	Current Expiration Date
Aramark Corporation dba Aventura Catering	Food and Beverage	148167	12/23/2033
Smart City Networks	Event Communication Services	134084	6/30/2022
Commonwealth Electric	Event Utility Services	150539	9/30/2024
AV Concepts	Event AV Services, Equipment, and Rigging	147500	6/30/2023
Contemporary Services Corp.	Event Security	143908	11/1/2021

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 70

(CONTINUED FROM MAY 19, 2021) - Amendment to Phoenix Fire Code and Modification of Fire Prevention Fee Schedule (Ordinance G-6854)

Request City Council authorization to adopt an ordinance making amendments to the Phoenix Fire Code and modifications to the Phoenix Fire Prevention Fee Schedule, Phoenix City Code, Chapter 15, Appendix A.

Summary

The 2018 International Fire Code with Phoenix amendments was adopted by the Phoenix City Council on March 4, 2020 and codified on April 4, 2020. As with any large code that is actively utilized by the community, clarifications, adjustments and amendments are often implemented to ensure the code language is clear, understandable, concise, and provides consistent outcomes for renewable energy contractors, fire protection contractors, construction contractors, radio communications, the high-rise community, developers, and other industry groups. The clarifications, adjustments, and amendments that have been identified in the Phoenix Fire Prevention Fee Schedule are intended to provide clarified language to meet our residents, businesses, and development community's needs in order to provide consistent outcomes of fire code interpretation. This action will ensure the City of Phoenix is utilizing a progressive code that reflects the current evolution of building materials, technologies, and industry practice to provide safety and reduce the cost of construction and compliance.

The Fire Safety Advisory Board (FSAB) has reviewed the attached amendments to the Phoenix Fire Code and modifications to the Phoenix Fire Prevention Fee Schedule and has approved the changes in a public meeting.

The full details of the proposed amendments to the Fire Code are provided in the attachment, "Proposed Clarifications, Adjustment, and Amendments to the City of Phoenix 2018 Fire Prevention Code" and proposed modifications to the Fee Schedule are provided in the attachment, "Proposed Adjustment to the City of Phoenix Fire Prevention Fee Schedule."

On March 16, 2021, pursuant to Arizona Revised Statutes section 9-499.15, the City of Phoenix provided notice to the public of proposed adoptions of, or changes to,

municipal taxes or fees. Specifically, the Phoenix Fire Department posted notice of its intent to standardize and alter fees charged for Fire Prevention permits and associated activities. These fees cover administrative, educational, investigative and inspection-related costs related to enforcement of the Phoenix Fire Code, Chapter 15 Revision on March 4, 2020 by Ordinance G-6677, effective April 4, 2020. The Fee Schedule can be viewed at <https://www.phoenix.gov/fire/prevention/fire-code>.

The effective date of the Phoenix Fire Prevention Fee Schedule, Appendix A, if adopted by Council, would be approximately 30 days following City Council Formal approval.

Public Outreach
On March 16, 2021, pursuant to Arizona Revised Statutes section 9-499.15, the City of Phoenix provided notice to the public of proposed adoptions of, or changes to, municipal taxes or fees.

Responsible Department
This item is submitted by Assistant City Manager Jeff Barton and the Fire Department.

City of Phoenix
FIRE DEPARTMENT
FIRE PREVENTION SECTION

Proposed Clarifications, Adjustment and Amendments to the City of Phoenix 2018 Fire Prevention Code (2018 International Fire Code {IFC} with Phoenix Amendments) currently adopted by Ordinance Number G-6677 § 1, 2020

~~Strikethrough~~ represents proposed code text deletion and <u>underscore</u> represents text addition

Updated 3/8/2021

Code Change Categories				
ERRC (Emergency Radio Coverage Systems)	Two-Way Hardwired Fire Communications	Agro, Wood Chip, and Mulch Facilities	Photovoltaic/Solar and Energy Storage Systems	Chapter 80 NFPA Standards

1.	**Section 510.4.1.2**	**<u>510.4.1.2 Minimum signal strength out of the building.</u>** The minimum outbound signal strength shall be sufficient to provide usable voice communications throughout the coverage area as specified by the fire code official. The outbound signal level shall be sufficient to provide not less than a DAQ of 3.0 or an equivalent SINR applicable to the technology for either analog or digital signals. <u>A Bit Error Rate (BER) of 2.6%. is equivalent to a DAQ 3.0 and is acceptable to meet this equivalency.</u>
	Reason: Current fire code requires system acceptance testing meet a minimum of 3.0 on the DAQ scale. The Regional Wireless Cooperative (RWC) recommends any emergency responder radio coverage system (ERRCS) on their network meet a Bit Error Rate (BER) of 2.6% as a more effective alternative acceptable method of measurement. A BER of 2.6% is equal to a DAQ 3.0 as noted in a National Telecommunications and Information Administration (NTIA) report 99-358, Delivered Audio Quality Measurements on Project 25 Land Mobile Radios. This report was created by the U.S. Department of Commerce. By adopting the ERRCS testing of BER 2.6%, this action will help standardize all in-building treatments throughout the City of Phoenix. BER is measurable data and can be provided by the vendor on their testing result grid reports.	
	Action Taken: Presented to the Fire Safety Advisory Board on 3/11/2021.	
2.	**Section <u>508.1.6.2</u>**	**<u>508.1.6.2 Fire Department Communications System.</u>** <u>Two way hard wired communication system is required in high rise buildings</u>
	Reason: Two way hard wired communication system is required in high rise buildings to augment the VHF radio system used by the Phoenix Fire Department on hazard scenes such as fires, hazmat incidents and environmental hazards. Base International Fire Code language assumes that in building emergency VHF radio coverage is provided for fire fighter use and removed this wired system requirement. Technological limitations do not allow for this proper coverage currently. Therefore, wire communications are still required for fire fighter safety during high rise fire incidents.	
	Action Taken: Presented to the Fire Safety Advisory Board on 3/11/2021.	

City of Phoenix
FIRE DEPARTMENT
FIRE PREVENTION SECTION

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Updated 3/8/2021

3.	**Section 907.2.12.2**	**<u>907.2.12.2 Fire department communication system.</u>** <u>Two way hard wired fire department communication system is required in high-rise buildings. In other buildings</u> ~~W~~<u>w</u>here a wired communication system is approved in lieu of an emergency responder radio coverage system in accordance with Section 510, the wired fire department communication system shall be designed and installed in accordance with NFPA 72 and shall operate between a fire command center complying with Section 508, elevators, elevator lobbies, emergency and standby power rooms, fire pump rooms, areas of refuge and inside interior exit stairways. The fire department communication device shall be provided at each floor level within the interior exit stairway.
	Reason: Two way hard wired communication system is required in high rise buildings to augment the VHF radio system used by the Phoenix Fire Department on hazard scenes such as fires, hazmat incidents and environmental hazards. Base International Fire Code language assumes that in building emergency VHF radio coverage is provided for fire fighter use and removed this wired system requirement. Technological limitations do not allow for this proper coverage currently.	
	Action Taken: Presented to the Fire Safety Advisory Board on 3/11/2021.	
4.	**Section 914.3.5**	**<u>914.3.5 Emergency voice/alarm communication system.</u>** An emergency voice/alarm communication system shall be provided in accordance with Section 907.6.2.2. <u>Two way hard wired fire department communication system is required in high-rise buildings.</u>
	Reason: Two way hard wired communication system is required in high rise buildings to augment the VHF radio system used by the Phoenix Fire Department on hazard scenes such as fires, hazmat incidents and environmental hazards. Base International Fire Code language assumes that in building emergency VHF radio coverage is provided for fire fighter use and removed this wired system requirement. Technological limitations do not allow for this proper coverage currently. Therefore, wire communications are still required for fire fighter safety during high rise fire incidents.	
	Action Taken: Presented to the Fire Safety Advisory Board on 3/11/2021.	

Proposed Clarifications, Adjustment and Amendments to the City of Phoenix 2018 Fire Prevention Code (2018 International Fire Code {IFC} with Phoenix Amendments) currently adopted by Ordinance Number G-6677 § 1, 2020

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Updated 3/8/2021

5.	**Section 2808.7.3**	**~~2808.7.3 Conveyor Systems~~** ~~Automatic sprinkler protection shall be provided in conveyor tunnels and combustible enclosures that pass under a pile. Combustible conveyor systems and enclosed conveyor systems shall be equipped with an approved automatic sprinkler system~~
	Reason: Duplicate to section 2808.7	
	Action Taken: Presented to the Fire Safety Advisory Board on 3/11/2021.	
6.	**Section 2808.7.4**	**2808.7~~.4.~~<u>.3</u> Fire Hydrants.** The fire code official may increase the distance required to a fire hydrant as set forth in Section 507 where the conditions of this section are complied with. The omitting of an on-site hydrant or increased overall distance to the nearest hydrants will be evaluated with the application for permit.
	Reason: To correct numbering sequence after section 2808.7.3 is removal.	
	Action Taken: Presented to the Fire Safety Advisory Board on 3/11/2021.	
7.	**Section 2808.9**	**2808.9 Material-handling equipment.** Approved material handling equipment shall be available ~~for moving wood chips, hogged material, wood fines and raw product during fire-fighting operations~~. <u>by contract to aid in the event of emergency for moving wood chips and hogged material. Equipment available shall include:</u> <u>1. Equipment to move stored material during a fire</u> <u>2. Water trucks</u> <u>3. Water pumps if using pond for any piece of water source</u>
	Reason: Allows customer to have a heavy equipment rental agreement rather than equipment on site at all times.	
	Action Taken: Presented to the Fire Safety Advisory Board on 3/11/2021.	

Proposed Clarifications, Adjustment and Amendments to the City of Phoenix 2018 Fire Prevention Code (2018 International Fire Code {IFC} with Phoenix Amendments) currently adopted by Ordinance Number G-6677 § 1, 2020

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Updated 3/8/2021

8.	**Section 2808.6**	**2808.6.1 Internal temperature.** If any location in a pile is found to have an internal temperature of 160°F (71° C) immediate action must be taken to reduce the temperature. If any location in a pile is found to have an internal temperature of 180º F (82ºC) or greater, the following procedures must immediately be taken: 1. The area with the high temperature shall be dug out of the main pile. This overheated material shall be pushed out in the designated push out area. The material shall be no greater than 3ft. in depth in the push out area. 2. Water shall be stationed closely to the affected area, prior to digging out the hotspot, to immediately douse any flare ups that may occur when air is added to overheated area. 3. Continual temperature probing and removal of material greater than 180° F (82° C) shall be conducted until all overheated material is separated into the push out area.
	Reason: Clarification as to how a pile shall be monitored as currently required by Section 2808.6 Static Pile Protection.	
	Action Taken: Presented to the Fire Safety Advisory Board on 3/11/2021.	
9.	**Section 2808.7.1**	**2808.7.1 Delivery and tipping area**~~. Not more than two designated tipping areas may be provided at a single facility and~~ <u>Delivery and tipping areas</u> shall be shown on the approved facility site plan. Tipping areas shall comply with the following: 1. Size. Tipping areas shall not exceed a maximum area of 50 feet by (15 240 mm) by 50 feet (15 240 mm). 2. Height. Material within a tipping area shall not exceed 5 feet (1524 mm) in height at any time. 3. Separation. Tipping areas shall be separated from all piles and other tipping areas by a fire access lane that is not less than 20 feet (6096 mm) wide. 4. Water system. A water system shall be available to wet down/ cool the raw product in case of fire within the tipping area. 5. Duration. Raw product shall be kept in tipping area long enough to ensure no load was delivered that is already over heated. Raw product shall be less than 160° F before mixing with main pile.
	Reason: Limit of “not more than two” was an error in the original language.	
	Action Taken: Presented to the Fire Safety Advisory Board on 3/11/2021.	

City of Phoenix
FIRE DEPARTMENT
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Updated 3/8/2021

10.	**Section 202**	**TIPPING AREA.** An area within a<u>n</u> ~~solid waste management facility or recycling~~ agro-industrial, solid biomass facility for vehicles to unload <u>new material</u>. ~~solid wastes or recyclables~~.
	Reason: Correct the language of a tipping area. Was not the intention	
	Action Taken: Presented to the Fire Safety Advisory Board on 3/11/2021.	
11.	**Section 1204.2.1**	**1204.2.1 Solar photovoltaic systems for Group R-3 buildings.** Solar photovoltaic systems for Group R-3 buildings shall comply with Sections 1204.2.1.1 through 1204.2.1.<u>3</u>
	Reason: As a result of continued dialog with the solar industry and other stakeholders, we are altering the numbering sequence of this section to reflect additional solar code changes below	
	Action Taken: Presented to the Fire Safety Advisory Board on 3/11/2021.	
12.	**Section 1204.2.1.1**	~~**1204.2.1.1 Roof access points**. Roof access points shall be located in areas that do not require the placement of ground ladders over openings such as windows or doors and located at strong points of building construction in locations where the access point does not conflict with overhead obstructions such as tree limbs, wires, or signs.~~ **<u>1204.2.1.1 Pathways to ridge</u>**<u>. Not fewer than two 36 inch- wide (914 mm) pathways on separate roof planes, from lowest roof edge to ridge, shall be provided on all buildings. Not fewer than one pathway shall be provided on the street or driveway side of the roof. For each roof plane with a photovoltaic array, not fewer than one 36-inch-wide (914 mm) pathway from lowest roof edge to ridge shall be provided on the same roof plane as the photovoltaic array, on an adjacent roof plane or straddling the same and adjacent roof planes.</u>
	Reason: As a result of continued dialog with the solar industry and other stakeholders, we will be reverting this section to base 2018 International Fire Code language.	
	Action Taken: Presented to the Fire Safety Advisory Board on 3/11/2021.	

City of Phoenix
FIRE DEPARTMENT
FIRE PREVENTION SECTION

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Updated 3/8/2021

13.	**Section 1204.2.1.2**	**~~1204.2.1.2 Residential systems for one- and two- family dwellings.~~** ~~Access to residential systems for one- and two- family dwellings shall be provided in accordance with Sections 1204.2.1.3 through 1204.2.1.6.~~ **<u>1204.2.1.2 Setbacks at ridge.</u>** <u>For photovoltaic arrays occupying 33 percent or less of the plan view total roof area, a setback of not less than 18 inches (457 mm) wide is required on both sides of a horizontal ridge. For photovoltaic arrays occupying more than 33 percent of the plan view total roof area, a setback of not less than 36 inches (457 mm) wide is required on both sides of a horizontal ridge.</u>
	Reason: As a result of continued dialog with the solar industry and other stakeholders, we will be reverting this section to base 2018 International Fire Code language.	
	Action Taken: Presented to the Fire Safety Advisory Board on 3/11/2021.	
14.	**Section 1204.2.1.3**	**~~1204.2.1.3 Residential buildings with hip roof layouts.~~** ~~Panels/modules installed on residential buildings with hip roof layouts shall be located in a manner that provides a 3- foot-wide (914 mm) clear access pathway from the eave to the ridge on each roof slope where panels/modules are located. The access pathway shall be located at a structurally strong location on the building capable of supporting the live load of fire fighters accessing the roof.~~ **<u>1204.2.1.3 Alternative setbacks at ridge.</u>** <u>Where an automatic sprinkler system is installed within the dwelling in accordance with Section 903.3.1.3, setbacks at the ridge shall conform to one of the following:</u> <u>1. For photovoltaic arrays occupying 66 percent or less of the plan view total roof area, a setback of not less than 18 inches (457 mm) wide is required on both sides of a horizontal ridge.</u> <u>2.For photovoltaic arrays occupying more than 66 percent of the plan view total roof area, a setback of not less than 36 inches (914 mm) wide is required on both sides of a horizontal ridge.</u>
	Reason: As a result of continued dialog with the solar industry and other stakeholders, we will be reverting this section to base 2018 International Fire Code language.	
	Action Taken: Presented to the Fire Safety Advisory Board on 3/11/2021.	

Proposed Clarifications, Adjustment and Amendments to the City of Phoenix 2018 Fire Prevention Code (2018 International Fire Code {IFC} with Phoenix Amendments) currently adopted by Ordinance Number G-6677 § 1, 2020

~~Strikethrough~~ represents proposed code text deletion and underscore represents text addition

Updated 3/8/2021

15.	**Section 1204.2.1.4**	**~~1204.2.1.4 Residential buildings with a single ridge~~**. ~~Panels/modules installed on residential buildings with a single ridge shall be located in a manner that provides two, 3-foot-wide (914 mm) access pathways from the eave to the ridge on each roof slope where panels/modules are located.~~
	Reason: As a result of continued dialog with the solar industry and other stakeholders, we will be reverting this section to base 2018 International Fire Code language.	
	Action Taken: Presented to the Fire Safety Advisory Board on 3/11/2021.	
16.	**Section 1204.2.1.5**	**~~1204.2.1.5 Residential buildings with roof hips and valleys.~~** ~~Panels/modules installed on residential buildings with roof hips and valleys shall be located no closer than 18 inches (457 mm) to a hip or a valley where panels/modules are to be placed on both sides of a hip or valley. Where panels are to be located on only one side of a hip or valley that is of equal length, the panels shall be permitted to be placed directly adjacent to the hip or valley.~~
	Reason: As a result of continued dialog with the solar industry and other stakeholders, we will be reverting this section to base 2018 International Fire Code language.	
	Action Taken: Presented to the Fire Safety Advisory Board on 3/11/2021.	
17.	**Section 1204.2.1.6**	**~~1204.2.1.6 Residential building smoke ventilation. Panels/modules installed on residential buildings shall be located no higher than 3 feet below the ridge in order to allow for fire department smoke ventilation operations.~~**
	Reason: As a result of continued dialog with the solar industry and other stakeholders, we will be reverting this section to base 2018 International Fire Code language.	
	Action Taken: Presented to the Fire Safety Advisory Board on 3/11/2021.	

City of Phoenix
FIRE DEPARTMENT
FIRE PREVENTION SECTION

Proposed Clarifications, Adjustment and Amendments to the City of Phoenix 2018 Fire Prevention Code (2018 International Fire Code {IFC} with Phoenix Amendments) currently adopted by Ordinance Number G-6677 § 1, 2020

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Updated 3/8/2021

18.	**Chapter 80**	**NFPA 2 Hydrogen Technologies Code** ~~2016~~ <u>2020</u> **NFPA 12 Standard on Carbon Dioxide Extinguishing Systems** ~~2015~~ <u>2018</u> **NFPA 13 Standard for the Installation of Sprinkler Systems** ~~2016~~ <u>2019</u> **NFPA 13D Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes** ~~2016~~ <u>2019</u> **NFPA 13R Standard for the Installation of Sprinkler Systems in Low-Rise Residential Occupancies** ~~2016~~ <u>2019</u> **NFPA 14 Standard for the Installation of Standpipe and Hose Systems** ~~2014~~ <u>2019</u> **NFPA 16 Standard for the Installation of Foam-Water Sprinkler and Foam-Water Spray Systems** ~~2015~~ <u>2019</u> **NFPA 24 Standard for the Installation of Private Fire Service Mains and Their Appurtenances** ~~2016~~ <u>2019</u> **NFPA 30B Code for the Manufacture and Storage of Aerosol Products** ~~2015~~ <u>2019</u> **NFPA 33 Standard for Spray Application Using Flammable or Combustible Materials** ~~2016~~ <u>2018</u> **NFPA 34 Standard for Dipping, Coating and Printing Processes Using Flammable or Combustible Liquids** ~~2015~~ <u>2018</u> **NFPA 45 Standard on Fire Protection for Laboratories Using Chemicals** ~~2015~~ <u>2019</u> **NFPA 52 Vehicular Natural Gas Fuel Systems Code** ~~2016~~ <u>2019</u> **NFPA 55 Standard for storage, use and handling of compressed gases and cryogenic Fluids in portable and stationary containers, cylinders and tanks** ~~2016~~ <u>2020</u>

Proposed Clarifications, Adjustment and Amendments to the City of Phoenix 2018 Fire Prevention Code (2018 International Fire Code {IFC} with Phoenix Amendments) currently adopted by Ordinance Number G-6677 § 1, 2020

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Updated 3/8/2021

		NFPA 61 Standard for the Prevention of Fires and Dust Explosions in Agricultural and Food Processing Facilities ~~2017~~ 2020 **NFPA 69 Standard on Explosion Prevention Systems ~~2014~~ 2019** **NFPA 72 National Fire Alarm and Signaling Code ~~2016~~ 2019** **NFPA 86 Standard for Ovens and Furnaces ~~2015~~ 2019** **NFPA 92 Standard for Smoke Control Systems ~~2015~~ 2018** **NFPA 110 Standard for Emergency and Standby Power Systems ~~2016~~ 2019** **NFPA 111 Standard for Stored Electrical Energy Emergency and Standby Power Systems ~~2016~~ 2019** **NFPA 160 Standard for the Use of Flame Effects Before an Audience~~2016~~ 2021** **NFPA 241 Standard for Safeguarding Construction, Alteration, and Demolition Operations ~~2013~~ 2019** **NFPA 484 Standard for Combustible Metals ~~2015~~ 2019** **NFPA 652 The Fundamentals of Combustible Dust ~~2016~~ 2019** **NFPA 654 Standard for Prevention of Fire and Dust Explosions from the Manufacturing, Processing and Handling of Combustible Particulate Solids ~~2017~~ 2020** **NFPA 664 Standard for the Prevention of Fires and Explosions in Wood Processing and Woodworking Facilities ~~2017~~ 2020** **NFPA 853 Installation of Stationary Fuel Cell Power Systems ~~2015~~ 2020** **NFPA 914 Code for Fire Protection of Historic Structures ~~2015~~ 2019**

Proposed Clarifications, Adjustment and Amendments to the City of Phoenix 2018 Fire Prevention Code (2018 International Fire Code {IFC} with Phoenix Amendments) currently adopted by Ordinance Number G-6677 § 1, 2020

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Updated 3/8/2021

		NFPA 1126 Standard for the Use of Pyrotechnics Before a Proximate Audience ~~2016~~ <u>2021</u> **NFPA 2001 Standard on Clean Agent Fire Extinguishing Systems** ~~2015~~ <u>2018</u>
	Reason: Updating current fire code adopted NFPA Standards to currently published editions. Allows use of latest testing, technology and code developments. Improves cross reference compatibility of codes.	
	Action Taken: Presented to the Fire Safety Advisory Board on 3/11/2021.	

End of Changes

City of Phoenix

To: Jeff Barton
Assistant City Manager

May 18, 2021

From: Kara Kalkbrenner
Fire Chief

Subject: REQUEST FOR CONTINUANCE OF ITEM # 53 ON MAY 19, 2021 CITY COUNCIL FORMAL AGENDA – AMENDMENT TO PHOENIX FIRE CODE AND MODIFICATION OF FIRE PREVENTION FEE SCHEDULE (ORDINANCE G-6854) TO JUNE 2, 2021

This memo requests City Council Formal Agenda Item #53 (Amendment to Phoenix Fire Code and Modification of Fire Prevention Fee Schedule (Ordinance G-6854) be continued from May 19, 2021 to June 2, 2021 to allow for additional community stakeholder feedback.

Approved by:

Jeff Barton
Assistant City Manager

5/18/21
Date

c: Scott Walker, Executive Assistant Fire Chief
Joseph Meier, Fire Division Chief

City of Phoenix

To: Jeff Barton
Assistant City Manager

Date: May 25, 2021

From: Alexa Martin
Management Assistant

Subject: CORRECTION TO ITEM 53 – AMENDMENT TO PHOENIX FIRE CODE AND MODIFICATION OF FIRE PREVENTION FEE SCHEDULE (ORDINANCE G-6854)

This memo is to clarify that in the report for Item 53, there should have been two files attached – Proposed Phoenix Fire Prevention Fee Schedule Changes May 2021, and Proposed Phoenix Fire CODE Changes May 2021.

Jeff Barton, Assistant City Manager

City of Phoenix
FIRE DEPARTMENT
FIRE PREVENTION SECTION

Proposed Adjustment to the City of Phoenix Fire Prevention Fee Schedule currently adopted by Ordinance Number G-6677 § 1, 2020

~~Strikethrough~~ represents proposed code text deletion and <u>underscore</u> represents text addition

Updated 3/4/2021

1.	**Fire Prevention Fee Schedule**	Battery systems, electrical energy storage systems to include lithium ion battery systems, OTC. To install electrical energy storage systems regulated by Section 1206.4 with a capacity of more than 3 kWh to ~~**20**~~ **<u>27</u>** kWh in an R-3 or R-4 occupancy. Permit…….. 2.0 hrs
	Reason: The original intent of this over the counter (OTC) permit was to allow two battery storage units in a R-3 occupancy and not require a full plan review. At the time of code adoption, the most predominant battery on the market that the Phoenix Fire Department's Fire Prevention Section permitted was 9.8 kWh per unit. Therefore, 20 kWh would allow two battery units. Industry standards have moved to batteries that contain 13.5 kWh energy storage per unit. This change will allow two units to be permitted by the OTC process. This action does not change the Phoenix Fire Code's requirements or regulations set forth for the installation for such batteries. This adoption would result in a reduction of the customers permit fee and reduced permit processing time for systems submitted to the Phoenix Fire Department's Fire Prevention Section between 20-27 kWh.	
	Action Taken: Presented to the Fire Safety Advisory Board on 3/11/2021.	
2.	**Fire Prevention Fee Schedule**	Solar photovoltaic power systems, OTC. To install or modify install a residential solar photovoltaic power system with an alternating current nameplate rating of 3 kW to ~~**12**~~ **<u>15</u>** kW in an R-3 or R-4 occupancy or the installation of a residential solar photovoltaic system for a water heater with a system size of 30kWth (462 square feet (49.9 M2) of collector) or less in an R-3 or R-4 occupancy. Permit ..... 2.0 hrs
	Reason: At time of this fee creation and adoption, the average solar system submitted to the Phoenix Fire Department's Fire Prevention Section was under 12 kW. This OTC allowed a faster permitting process for the systems and required plan reviews for system larger than 12 kW. With the growth and adoption of solar we now see systems on average up to 15 kW. By changing the OTC threshold to 15 kW from 12 kW, we still meet the requirements for the Phoenix Fire Code and assist our community in quicker permit processing times to aid our development community and residents. This action does not change the Phoenix Fire Code's requirements or regulations set forth for the installation for such solar systems. This adoption would result in a reduction of the customers permit fee and reduced permit processing time for systems submitted to the Phoenix Fire Department's Fire Prevention Section between 12-15 kW.	
	Action Taken: Presented to the Fire Safety Advisory Board on 3/11/2021.	

City of Phoenix
FIRE DEPARTMENT
FIRE PREVENTION SECTION

Proposed Adjustment to the City of Phoenix Fire Prevention Fee Schedule currently adopted by Ordinance Number G-6677 § 1, 2020

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Updated 3/4/2021

3.	**Fire Prevention Fee Schedule**	Solar photovoltaic power systems. To install or modify install a residential solar photovoltaic power system with an alternating current nameplate rating in greater than ~~**12**~~ **<u>15</u>** kW. Residential Plan Review ..... 2.0 hrs Inspection ..... 1.0 hrs Commercial Plan Review..... 2.5 hrs Inspection ..... 1.5 hrs
	Reason: At time of this fee creation and adoption, the average solar system submitted to the Phoenix Fire Department's Fire Prevention Section was under 12 kW. With the growth and adoption of solar we now see systems on average up to 15 kW. By changing the plan review threshold to 15 kW from 12 kW, we still meet the requirements for the Phoenix Fire Code and assist our community in quicker permit processing times to aid our development community and residents. This action does not change the Phoenix Fire Code's requirements or regulations set forth for the installation for such solar systems. This adoption would result in a reduction of the customers permit fee and reduced permit processing time for systems submitted to the Phoenix Fire Department's Fire Prevention Section between 12-15 kW.	
	Action Taken: Presented to the Fire Safety Advisory Board on 3/11/2021.	

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 71

Authorization to Enter into Affiliated Personnel Agreements for Arizona Task Force One (Ordinance S-47654)

Request authorization for the City Manager, or his designee, to enter into agreements with Fred Nelson, David Troxell, Dan Hogan, and Dennis Wipf to serve as Affiliated Personnel of the Arizona Task Force One (AZ-TF1). Affiliated Personnel will be reimbursed through Federal Emergency Management Agency (FEMA) funds. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Phoenix Fire Department (PFD) is the sponsoring agency of AZ-TF1, one of 28 national Urban Search and Rescue response system task forces that can rapidly deploy skilled personnel and state-of-the-art equipment to sites of natural disasters, terrorist attacks, and building collapses.

AZ-TF1 consists of individuals occupying certain specified positions plus additional support personnel, all of whom have been properly trained with the requisite skills and capabilities required for urban search and rescue operations and/or deployment of the AZ-TF1. As a requirement of the Urban Search and Rescue Readiness Cooperative Agreement, PFD is charged with the recruitment and training of new task force members to an operation-ready state of deployment.

Contract Term

The agreements shall be effective upon approval and execution and shall remain in effect for a term of five years.

Financial Impact

Affiliated Personnel will be reimbursed through FEMA funds.

Responsible Department

This item is submitted by Assistant City Manager Jeff Barton and the Fire Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 72

Purchase of New and Replacement Fitness Equipment (Ordinance S-47653)

Request to authorize the City Manager, or his designee, to enter into a contract with Team Marathon Fitness Inc. for a one-time purchase to provide the Phoenix Fire Department with new and replacement fitness equipment in the amount not to exceed $146,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This purchase will allow the Phoenix Fire Department to continue to provide exercise and conditioning equipment in fire stations and facility gym settings in support of the health and wellness of the firefighters. Exercise and conditioning equipment is utilized by the firefighters to meet and maintain National Fire Protection Association (NFPA) standards and Occupational Safety and Health Administration (OSHA) requirements as part of the medical and physical fitness condition levels needed to perform their essential job tasks. This purchase will provide new additional fitness/conditioning equipment of various sizes and types. Replacement equipment will be consistent in model and specifications with existing aerobic fitness/conditioning equipment in fire stations. In addition, funding for the replacement of irreparable aerobic fitness/conditioning equipment, or equipment that has been identified as too costly to repair, is available as part of the current Local-493 Memorandum of Understanding and the Fire Department Health Center’s budget. There is a time restriction for this purchase as the funding allocated for this purchase must be encumbered this fiscal year.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a Special Circumstance Without Competition Determination Memo citing Team Marathon Fitness Inc. as the exclusive authorized distributor for the State of Arizona of the Precor fitness equipment. A special Circumstance Without Competition Determination Memo was completed and approved by the Deputy Finance Director recommending the Procurement with Team Marathon Fitness Inc. be accepted.

Contract Term
The contract term will begin on or about June 2, 2021 and end on or about June 1, 2022.

Financial Impact
Expenditures against this one-time contract shall not exceed the amount of $146,000. Funds are available in the Fire Department's budget.

Responsible Department
This item is submitted by Assistant City Manager Jeff Barton and the Fire Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 73

Helicopter Pilot Training and Certification - RFP 17-011A (Ordinance S-47599)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 143815 with Delta Leasing, dba Quantum Helicopters, for the purchase of helicopter pilot training and certification 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 $150,000.

Summary
This contract provides the Phoenix Police Department's Air Support Unit with helicopter pilot training and certification, including flight instruction, pilot certification and instrument rating. The flight training requirements meet all Federal Aviation Administration (FAA) regulations Code of Federal Regulations (CFR) 14, Parts 141 and 61 for pilots, flight and ground instruction. Additional funds are needed due to new pilots being trained to replace retiring staff.

Contract Term
The contract term is Nov. 1, 2016 through Oct. 31, 2021.

Financial Impact
Upon approval of $150,000 in additional funds, the revised aggregate value of the contract will not exceed $800,000. Funds are available in the Police Department’s budget.

Concurrence/Previous Council Action
This item was originally approved by Council on Oct. 19, 2016.

Responsible Department
This item is submitted by Assistant City Manager Jeff Barton and the Police Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 74

Forensic DNA Analysis Software, Maintenance and Technical Support - Requirements Contract - EXC 21-032 (Ordinance S-47623)

Request to authorize the City Manager, or his designee, to enter into a contract with NicheVision Forensics, LLC to provide deoxyribonucleic acid (DNA), analysis software upgrades, maintenance and technical support to the Police Department's Laboratory Services Bureau. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $549,205.

Summary

The Police Department's Laboratory Services Bureau currently utilizes ArmedXpert and STRmix DNA analysis software, provided by NicheVision Forensics, LLC. This specialized software, software upgrades, maintenance and technical support is necessary for the Laboratory Services Bureau to perform proper DNA analysis. The two software systems are used in conjunction for quality control and ease of importing data into the Combined DNA Index System (CODIS). The software calculates statistics to support the conclusions which are required per federal standards as set by Quality Assurance Standards for Forensic DNA Testing Laboratories and is accepted as validated testimony in court. The added software, upgrades, maintenance and technical support will afford updates as new research methods become available and will increase the efficiency of the Laboratory Services Bureau.

Additionally, request the City Council to grant an exception to Phoenix City Code Section 42-18 to authorize inclusion of indemnification and assumption of liability provisions that otherwise would not be allowed.

This item has been reviewed and approved by the Information Technology Services Department.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an approved Determination Memo which stated NicheVision Forensics, LLC is the exclusive distributor and provider of Armed Xpert and STRmix DNA software, upgrades, maintenance and technical support in the United States. This DNA software is recommended on a national level for DNA analysis, including the President's Council

Advisors on Science and Technology on Forensic Science.

The Deputy Finance Director recommends that the contract with NicheVision Forensics, LLC be accepted.

Contract Term
The five-year contract term will begin on or about June 2, 2021.

Financial Impact
The aggregate contract value will not exceed $549,205 and funds are available in the Police Department's budget.

Responsible Department
This item is submitted by Assistant City Manager Jeff Barton and the Police Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 75

Fleet Vehicle Accessories and Installation Services - Amendments (Ordinance S-47632)

Request to authorize the City Manager, or his designee, to amend Agreements: (1) No. 148571 with Hyper Customs, LLC dba Arizona Truck Pros; (2) No. 148573 with Drake Equipment of AZ, Inc.; (3) No. 148574 with Creative Communications; (4) No. 148575 with Kenco OR, LLC dba LSH Lights; (5) No. 148576 with Pride Group, LLC dba Pride Outfitting; (6) No. 148577 with Don Chalmers Ford dba MHQ of Arizona; (7) No. 148578 with Arizona Emergency Products, Inc.; and (8) No. 148579 with Jar Capital Group dba Quality Vans and Specialty Vehicles, collectively referred to as the "Agreements," to include the Aviation Department to provide the fleet vehicle accessories and installation services required for vehicle up-fitting for Aviation Department fleet on an as-needed basis. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures for services included in these amendments will not exceed $162,500.

Summary

The Agreements were originally awarded to the Public Works Department. The Aviation Department requests to be added as one of the users under the Agreements. The Aviation Department is responsible for maintaining a fleet of 480 vehicles. The Agreements will provide the ability to purchase parts, accessories, and installation services to up-fit vehicles and equipment with auxiliary lighting, toolboxes, lift gates, and other operational equipment that are unique to meet the Aviation Department's operational needs.

Contract Term

The terms of the Agreements began on Oct. 1, 2018 and have two one-year options to extend the terms for five-year aggregate terms. The Agreements’ terms will remain unchanged by the amendments.

Financial Impact

The initial authorization for Fleet Vehicle Accessories and Installation Services Agreements were for an expenditure not-to-exceed $15 million. The amendments will increase the authorization for the Agreements by an additional $162,500 for the Aviation Department for a new total not-to-exceed Agreements value of $15,162,500.

Funding is available in the Aviation Department's budget.

Concurrence/Previous Council Action

The City Council approved Fleet Vehicle Accessories and Installation Services Agreements Nos. 148571 and 148573 to 148579 (Ordinance S-45025) on Oct. 3, 2018.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Aviation Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 76

Solid Waste and Recycling Collection and Transport Equipment with Related Equipment, Supplies and Accessories - Requirements Agreement - COOP 20-053 (Ordinance S-47593)

Request to authorize the City Manager, or his designee, to enter into a cooperative participating agreement with Anco Sanitation Systems, Inc., the authorized local vendor for Marathon Equipment Company, to purchase solid waste and recycling collection and transport equipment with related equipment, supplies, and accessories for the Aviation Department. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate agreement value will not exceed $300,000.

Summary

The Aviation Department has 23 trash compactors and one baler located throughout Phoenix Sky Harbor International Airport. The majority of these compactors are between five to 10 years old and are in need of replacement. In addition, new balers will be needed for all loading docks throughout the airport campus. The new balers will assist in keeping the Aviation Department's recycle diversion rate above the City's goal of 40 percent. This agreement will give the Aviation Department the ability to purchase new and replacement trash compactors and balers on an as-needed basis and assist with the Department's waste removal and recycling needs.

Marathon Equipment Company is the leading manufacturer and installer of waste handling and recycling equipment and provides one of the largest selections of trash compactors and vertical balers through its local dealer/distributor Anco Sanitation Systems, Inc.

The use of this cooperative agreement will provide the City national discounts on these products. Additionally, review of pricing and availability from registered small and local businesses indicates that this cooperative agreement offers the best value to the City.

Upon City Council approval of this item, a purchasing agreement(s) incorporating the City's terms and conditions will be fully executed between the referenced vendor(s) and the City.

Procurement Information

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. The agreement was awarded through competitive processes consistent with the City's procurement processes, as set forth in the Phoenix City Code, Chapter 43.

A cooperative agreement was established by Sourcewell under solicitation number 041217-MEC. Agreement 041217-MEC between Marathon Equipment Company and Sourcewell includes terms that allow the City to enter into a linking agreement directly with the local dealer/distributor. Marathon Equipment Company directed the City to contract directly with Anco Sanitation Systems, Inc. to receive the pricing found in Agreement 041217-MEC. Anco Sanitation Systems, Inc. has agreed to be bound by the City’s terms and conditions and the terms of Agreement 041217-MEC.

The Deputy Finance Director recommends that the cooperative participating agreement with Anco Sanitation Systems, Inc. be accepted.

Contract Term

The five-year agreement term will begin on or about May 19, 2021.

Financial Impact

The aggregate agreement value will not exceed $300,000. Funding is available in the Aviation Department’s budget.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Aviation Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 77

Street Furniture and Bus Advertising Services Procurement - Request to Issue Revenue Contract Solicitation

Request to authorize the City Manager, or his designee, to issue a Revenue Contract Solicitation for the procurement of transit vehicle advertising and transit street furniture advertising services.

Summary

The Transit Street Furniture and Transit Vehicle (Bus) Advertising programs are revenue-generating programs for the City. The purpose of these programs is to generate revenue for the City to then enhance the various passenger services it provides as components of the regional public transit system. This solicitation will replace existing advertising agreements which will expire on Dec. 13, 2021.

The evaluation criteria for the Revenue Contract Solicitation (RCS) will be based on a 1,000-point schedule as listed below:

- Method of Approach (450 points)
- Price Proposal (350 points)
- Qualifications and Experience (200 points)

This solicitation may result in one or more contracts with vendor(s), as proposers have the ability to submit for one, or both, advertising programs (furniture and bus).

Financial Impact

This is a revenue-generating contract. Contractors will be responsible for all costs associated with installation, maintenance, and restoration of advertising spaces pertaining to bus and/or transit furniture. The RCS and resultant contract(s) provide that the City will be paid the percentage of net sales revenue submitted in the bids, or a minimum annual guarantee, whichever is greater.

The most recent data shows that revenue under the current contracts has resulted in annual amounts of approximately $1.95 million and $1.4 million remitted to the city for transit furniture and bus advertising, respectively.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Public Transit Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 78

Issue Request for Proposals for Paratransit Services (Phoenix Dial-a-Ride)

Request to authorize the City Manager, or his designee, to issue a Request for Proposals for Paratransit Services (Phoenix Dial-a-Ride).

Summary

The City of Phoenix provides shared-ride Dial-a-Ride service for individuals who, because of a disability, cannot access or navigate local bus or light rail services. This origin-to-destination service is mandated by the federal government as required with the enactment of the Americans with Disabilities Act (ADA) of 1990. Commonly known as "paratransit service," Phoenix Dial-a-Ride acts as a safety net for individuals with disabilities and affords them the same level of transit service as other passengers, operating during the same hours and covering the same areas as bus and light rail services. While the ADA requires the provision of paratransit services only within a three-quarter mile buffer around local bus routes and light rail stations, Phoenix Dial-a-Ride operates within the entirety of Phoenix's incorporated city limits south of Jomax Road.

In May 2016 the Phoenix City Council approved an agreement for the operation of Phoenix Dial-a-Ride Services. The current agreement expires June 30, 2022 and a new agreement is needed to ensure the continuity of this federally mandated service. Once the solicitation process is complete, staff will return to City Council for approval to enter into an agreement with the successful proposer.

Procurement Information

The Request for Proposals (RFP) will contain evaluation criteria and processes, as well as a transparency in lobbying clause. The RFP evaluation criteria will include the following:

- Cost - 0-400 points;
- Qualifications, experience and past performance - 0-250 points;
- Method of approach and transition plan - 0-200 points; and
- Proposed organizational structure and personnel - 0-150 points.

A tentative procurement schedule is shown below:

- October 2021 - RFP released.

- October 2021 - Proposals due.
- November 2021 - Panel evaluations.
- November 2021 - Best and final offers due.
- January 2022 - Award recommendation.
- July 1, 2022 - Agreement start date.

The resulting agreement term will be a five-year period, with one, two-year option to extend. The two-year extension option will be exercised only if it is in the City's best interest to do so and the proposed contractor has performed satisfactorily during the five-year base period. The agreement is expected to commence on July 1, 2022.

Financial Impact

The current agreement has an estimated value of $99,812,000 and will be funded through regional Public Transportation funds.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Public Transit Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 79

Building Property Management Services Agreement for Public Transit Department Office Building (Ordinance S-47650)

Request to authorize the City Manager, or his designee, to execute an amendment to Property Management Services Agreement 139423 with Lincoln Property Company to extend the agreement for a period of one year, from July 1, 2021 through June 30, 2022. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures for services included in this amendment will not to exceed $400,000.

Summary

In September 2014, the City awarded Agreement 139423 to Lincoln Property Company for the management of the City's owned building located at 302 N. First Ave. in downtown Phoenix, which serves as the primary offices of the Public Transit Department (PTD), as well as the offices of the building’s tenants, the Maricopa Association of Governments (MAG) and the Community and Economic Development Department's Business and Workforce Development Center. The initial agreement was authorized for a five-year term at a total cost of $7.5 million for the services, which included administrative functions; general building maintenance; interior and exterior repairs; preparation of the annual operating budget with related financial accounting services, record keeping, and reports; and management of below-ground parking levels and associated functions.

Since the conclusion of the initial agreement in 2019, PTD has twice issued RFPs for property management services in accordance with Phoenix’s Administrative Regulation 3.10. In December 2019, an RFP for property management services of the PTD’s downtown headquarters resulted in just one submission, and due to this lack of adequate marketplace competition, the evaluation panel determined it was in the City's best interest to cancel the solicitation and reissue the RFP when other City-owned property management opportunities could be included to generate more commercial interest.

In June 2020, City Council approved an agreement amendment (Ordinance S-46745) to extend Lincoln Property Company as the ongoing Property Manager of the PTD downtown office building for one year until June 30, 2021.

In January 2021, an RFP was issued for property management services of PTD's downtown headquarters and the City-owned Village Shopping Center at 19th and Dunlap avenues. That solicitation was cancelled on April 2 after the only two bidders were disqualified due to being found non-responsive and non-responsible.

This amendment will provide another one-year extension which will enable staff to identify additional contract management efficiencies and issue a new RFP for standalone property management services in a future solicitation that would generate commercial interest and ensure marketplace competition. This further extension will be for a one-year period from July 1, 2021 to June 30, 2022.

Contract Term
This amendment will extend the end date of the agreement term from June 30, 2021 to June 30, 2022.

Financial Impact
The total cost related to this item will not exceed $400,000 over one year. Funding is available in the Public Transit Operating budget.

Concurrence/Previous Council Action
The City Council approved:

- Property Management Services Agreement 139423 (Ordinance S-41137) on Aug. 27, 2014;
- Property Management Services Agreement 139423 - Amendment (Ordinance S-45608) on May 1, 2019; and
- Property Management Services Agreement 139423 - Amendment (Ordinance S-46745) on June 17, 2020.

Location
302 N. First Ave.
Council District: 7

Responsible Department
This item is submitted by Deputy City Manager Mario Paniagua and the Public Transit Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 80

Enter into Agreement with RPTA to Receive Public Transportation Funds (Ordinance S-47651)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement with the Regional Public Transportation Authority to receive regional Public Transportation Funds. Further request to authorize the City Treasurer to receive all funds related to this item. The City will receive approximately $26,375,400 in funds from this agreement.

Summary

The purpose of this Intergovernmental Agreement (IGA) is to provide regional Public Transportation Fund (PTF) funding as the local match to federal funding for various capital projects programmed in the Transit Life Cycle Program of the Regional Transportation Plan through Dec. 31, 2025. The Regional Public Transportation Authority (RPTA) administers PTF funding and is charged with distributing these funds to Phoenix for management and implementation of the capital projects.

Financial Impact

No Phoenix funds are involved in the performance of this IGA. RPTA will disburse the funding to reimburse Phoenix for its non-federal share of the following:

- $22,913,200 - Purchase of local fixed route buses;
- $334,400 - Purchase of neighborhood circulator vehicles;
- $1,891,400 - Purchase of paratransit (Dial-a-Ride) vehicles; and
- $1,236,400 - Design and construction of a future park-and-ride facility.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Public Transit Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 81

Rental Services for Trench Safety Equipment - Amendment (Ordinance S-47606)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 151420 with United Rentals (North America), Inc. to provide additional funding to the agreement for use by the Public Works Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed $108,000.

Summary
Additional funding is needed to include the Public Works Department as an authorized user of this agreement. The Water Services Department is currently the owner of this agreement. The purpose is for the inspections and maintenance team to perform maintenance and repairs on landfill infrastructure throughout the City. Repairs and maintenance are typically performed in trenches and are under safety regulations that require safety equipment to be installed to prevent work site hazards.

Contract Term
The existing agreement term is Feb. 29, 2020 through Feb. 28, 2025 and will remain unchanged.

Financial Impact
The initial authorization for Rental Services for Trench Safety Equipment was for an expenditure not-to-exceed $550,000. This amendment will increase the authorization for the agreement by an additional $108,000, for a new total not-to-exceed agreement value of $658,000.

Funding is available in the Public Works Department's budget.

Concurrence/Previous Council Action
The City Council approved Agreement 151420 (Ordinance S-46234) on Dec. 18, 2019.

Responsible Department
This item is submitted by Deputy City Manager Karen Peters and the Public Works Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 82

Intergovernmental Agreement with Maricopa County Animal Care and Control Services for FY2021-22 (Ordinance S-47615)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement with Maricopa County Animal Care and Control Services to serve as the City of Phoenix's enforcement agent for the animal control provisions of the Phoenix City Code from July 1, 2021, through June 30, 2022. Further request to authorize the City Controller to disburse all funds related to this item.

Summary
Maricopa County Animal Care and Control Services (MCACCS) acts as the City's enforcement agent for the animal control provisions of the City Code, including bite animal at large, animal on property while school in session, animal bite investigations, vicious animal petitions, and similar enforcement actions. In addition, MCACCS provides community-requested neighborhood sweeps, and attends community events to educate residents about the City's animal control laws.

Contract Term
The term of this agreement is July 1, 2021, through June 30, 2022, with two option years to be exercised in increments of up to one year, for a total agreement option term of three years.

Financial Impact
The costs shall not exceed $2,866,986. Funding is available in the Public Works Department's budget.

Location
Enforcement of the animal control provisions of the Phoenix City Code are provided Citywide.

Responsible Department
This item is submitted by Deputy City Manager Karen Peters and the Public Works Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 83

Home Pick-Up Household Hazardous Waste Collection Service - Requirements Agreement (Ordinance S-47622)

Request to authorize the City Manager, or his designee, to enter into an agreement with Kary Environmental Services, Inc. (KES) to continue providing home pick-up Household Hazardous Waste (HHW) collection service to residents for a term of six months, which will include an option to extend for an additional six months. Further request to authorize the City Controller to disburse all funds related to this item. This agreement will have an aggregate amount of $800,000.

Summary
This agreement will allow KES to continue performing at-home collection of HHW materials for Phoenix residents. Due to the COVID-19 health pandemic and related safety concerns, HHW collection events are postponed. Continuing to offer home collection utilizing KES will ensure the materials are collected, stored and/or properly disposed of and will ensure adherence to all applicable federal, state, and local laws.

Procurement Information
In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a determination memo, citing special circumstance, without competition. KES is the only known vendor proving this type of collection in surrounding cities.

Contract Term
This agreement will be for six months beginning on July 1, 2021 through Dec. 31, 2021 with an option to extend the agreement through June 30, 2022.

Financial Impact
This agreement will not exceed $800,000 over the term. Funding is available in the Public Works Department's budget.

Responsible Department
This item is submitted by Deputy City Manager Karen Peters and the Public Works Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 84

Americans with Disabilities Act Facility Assessments - Agreement Award (Ordinance S-47638)

Request to authorize the City Manager, or his designee, to enter into an agreement with Life Quest Training and Consulting, LLC to provide consulting services to assist the City in meeting the Americans with Disabilities Act requirements set forth by the U.S. Department of Justice. This item will have an aggregate amount of $2.5 million. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

The Public Works Department is responsible for ensuring that all City-owned facilities are in compliance with Americans with Disabilities Act (ADA) standards. The U.S. Department of Justice (DOJ) requires all government entities to ensure accessibility compliance is provided for all facilities owned by that entity. The City owns more than 1,900 facilities that are required to be in compliance with ADA standards. These assessments will identify deficiencies and will be used to develop an ADA transition plan to address the accessibility deficiencies at all City-owned facilities.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a determination memo citing unusual nature due to the DOJ's assessment and transition plan requirements of all government entities.

Contract Term

The initial three-year contract term will begin on or about July 1, 2021, with two one-year options to extend in increments of up to one year, for a total contract term of up to five years.

Financial Impact

The aggregate value of the contract including all option years is $2.5 million including all applicable taxes, with an estimated annual expenditure of $500,000. Funding is available in the Public Works Department’s Capital Improvement Program budget.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Public Works Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 85

Intergovernmental Agreement with Arizona Department of Transportation for Purchase and Installation of Intelligent Transportation System Equipment Adjacent to Interstate 10 Broadway Curve Improvement Project (Ordinance S-47603)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement with the Arizona Department of Transportation for the purchase and installation of Intelligent Transportation System equipment for the traffic management of arterial corridors located within the City of Phoenix surrounding the Interstate 10 Broadway Curve Improvement Project. Further request the City Council to grant an exception pursuant to Phoenix City Code section 42-20 to authorize indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code section 42-18. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

The purpose of this Agreement is to allow the State to provide funding to the City for the procurement and installation of Intelligent Transportation System (ITS) equipment for the traffic management of arterial corridors surrounding the Interstate 10 (I-10) Broadway Curve Improvement Project (Broadway Curve). The City will purchase and install the equipment within one year of the execution of this Agreement and will be reimbursed for costs incurred not to exceed $1,223,000.

The Broadway Curve project is planned to improve I-10 between the I-10/Interstate 17 (I-17) Split Traffic Interchange and the Congressman Ed Pastor Freeway (Loop 202-South Mountain Freeway). The project will represent the region’s first urban freeway reconstruction project with construction estimated to begin in early fall 2021.

In November 2019, the Maricopa Association of Governments (MAG) approved a study to identify strategies to mitigate construction impacts. After one year of data collection, analysis, infrastructure inventory, and coordination, a comprehensive mitigation strategy was identified. In 2020, MAG launched a study to inventory and analyze traffic signal systems at seven traffic interchanges and fifteen arterial corridors surrounding the Broadway Curve. Technical staff from the Arizona Department of Transportation (ADOT) and Phoenix collaborated with MAG throughout the study and

provided detailed information about the traffic signal systems within the City. The overall goal of the study was to assess the traffic management capabilities of the corridors and identify achievable traffic signal system enhancements that could be implemented prior to the start of the Broadway Curve project. Several vital ITS elements were evaluated including detection, monitoring, preemption, intersection capacity, and traffic signal controllers.

Enhancing the City arterial traffic signals within the area of the Broadway Curve will help ease congestion during construction detours and closures.

Contract Term
The City will purchase and install the equipment within one year of the execution of this Agreement and will be reimbursed for costs incurred not to exceed $1,223,000.

Financial Impact
The City will be reimbursed for costs not to exceed $1,223,000.

Location
Interstate 10, from the Congressman Ed Pastor Freeway (Loop 202-South Mountain Freeway) and the I-10/I-17 Split Traffic Interchange.
Council Districts: 6 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: 6/2/2021, **Item No.** 86

Intergovernmental Agreement with City of Tempe for Installation of Fiber Infrastructure Along Baseline Road from Congressman Ed Pastor Freeway (Loop 202-South Mountain Freeway) to Interstate 10 (Ordinance S-47619)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement between the City of Phoenix and the City of Tempe for the installation of fiber infrastructure along Baseline Road from the Congressman Ed Pastor Freeway (Loop 202 South Mountain Freeway) to Interstate 10. Further request the City Council to grant an exception pursuant to Phoenix City Code section 42-20 to authorize indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code section 42-18. There is no financial impact associated with this Agreement.

Summary

The City of Phoenix intends to install fiber and conduit infrastructure along 13 miles of Baseline Road located within the City of Phoenix and the City of Tempe from Congressman Ed Pastor Freeway (Loop 202 South Mountain Freeway) to Interstate 10 (I-10). The project will connect to existing City of Phoenix and City of Tempe traffic signals along the fiber route and will provide the City of Phoenix with a connection to Arizona Department of Transportation fiber at both the Congressman Ed Pastor Freeway and I-10.

Each of the traffic signals will connect to new fiber infrastructure while maintaining existing operations and maintenance responsibilities over traffic signals. New City of Phoenix fiber and conduit infrastructure installed along Baseline Road from the Congressman Ed Pastor Freeway to I-10 will be owned and maintained by the City of Phoenix. New City of Tempe fiber, conduit, and conduit sweeps into the Tempe traffic signal infrastructure installed along Baseline Road from Calle Los Cerros Drive to its traffic signal at I-10 will be owned and maintained by the City of Tempe.

Contract Term

Unless otherwise lawfully terminated by the Parties, the Agreement expires upon completion and acceptance of the project and fulfillment of all terms of the Agreement.

Financial Impact
There is no financial impact associated with this Agreement.

Location
Baseline Road from the Congressman Ed Pastor Freeway to Interstate 10.
Council Districts: 6, 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: 6/2/2021, **Item No.** 87

Salt River Project Agreement for Construction of Irrigation Facilities at 43rd Avenue and McDowell Road - ST85100410 (Ordinance S-47618)

Request to authorize the City Manager, or his designee, to enter into an Agreement for construction of facilities with Salt River Project. This Agreement is for the relocation and modification of existing Salt River Project irrigation facilities for City of Phoenix project ST85100410 - 43rd Avenue from McDowell Road to Virginia Avenue. Further request to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. Additionally request to authorize the City Controller to disburse all funds related to this item in an amount not to exceed $102,543.

Summary
The City is constructing roadway and intersection improvements along 43rd Avenue from McDowell Road to Virginia Avenue which directly impact an existing Salt River Project (SRP) irrigation delivery structure. This Agreement represents the cost for the portion of SRP’s construction and materials for which the City is financially responsible.

Contract Term
The term of the Agreement will begin on or about June 2, 2021, and will expire when the project is completed and accepted.

Financial Impact
Funding in the amount of $102,543 is available in the Street Transportation Department's Capital Improvement Program budget.

Location
43rd Avenue from McDowell Road to Virginia Avenue
Council District: 4

Responsible Department
This item is submitted by Deputy City Manager Mario Paniagua and the Street Transportation Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 88

Salt River Project Construction License for 24-Inch Water Main on Dobbins Road from 35th to 27th Avenues - WS85500429-2 (Ordinance S-47630)

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project for installation of a new 24-inch waterline on Dobbins Road from 35th to 27th avenues. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18.

Summary
The purpose of this license is to allow the City to install a new waterline that will run parallel with Salt River Project irrigation facilities. This work is in conjunction with City Project WS85500429-2 Dobbins Road 24-inch Water Main; 35th to 27th avenues.

Contract Term
The term of the Construction License is one year, effective when the City begins construction, expected to be June 2021.

Financial Impact
There is no financial impact for this license.

Location
Dobbins Road, 35th to 27th avenues
Council Districts: 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: 6/2/2021, **Item No.** 89

Salt River Project Construction License for Streetlights on 32nd Street Between McDowell and Thomas Roads - ST85160014-1 (Ordinance S-47631)

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project for installation of new streetlights on 32nd Street between McDowell and Thomas roads. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18.

Summary
The purpose of this license is to allow the City to install 17 new streetlights on 32nd Street between McDowell and Thomas roads that will run parallel with and adjacent to Salt River Project irrigation facilities. This work is in conjunction with City Project ST85160014-1 for Streetlights on 32nd Street between McDowell and Thomas roads.

Contract Term
The term of the Construction License is one year, effective when the City begins construction, expected to be June 2021.

Financial Impact
There is no financial impact for this license.

Location
32nd Street between McDowell and Thomas roads
Council District: 8

Responsible Department
This item is submitted by Deputy City Manager Mario Paniagua and the Street Transportation Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 90

Salt River Project Construction License for Lift Station 43 - WS90501000 (Ordinance S-47636)

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project for repair and replacement of a force sewer main that serves City of Phoenix Lift Station 43. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18.

Summary
The purpose of this license is to allow the City to repair and replace the end portion of a sewer force main located at 75th Avenue and Broadway Road that crosses Salt River Project irrigation facilities. This work is in conjunction with City Project WS90501000 Lift Station 43.

Contract Term
The term of the Construction License is one year, effective when the City begins construction, expected to be June 2021.

Financial Impact
There is no financial impact for this license.

Location
75th Avenue and Broadway Road
Council District: 7

Responsible Department
This item is submitted by Deputy City Manager Mario Paniagua and the Street Transportation Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 91

Salt River Project Construction and Service Agreement for Booster Pump Station 1-B3 Rehabilitation and Replacement (Ordinance S-47602)

Request to authorize the City Manager, or his designee, to enter into an agreement with Salt River Project for the Booster Pump Station 1-B3 Rehabilitation and Replacement. Further request to authorize the City Controller to disburse all funds related to this item. 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. The agreement will not to exceed $552,928.

Summary
To provide electrical redundancy and resiliency for the Booster Pump Station (BPS) 1-B3, to replace the aging infrastructure, reduce peak loading on the electrical equipment, and increase the electrical capacity, the City worked with Salt River Project (SRP) during the design phase of the BPS 1-B3 Rehabilitation and Replacement project.

The SRP Enhanced Distribution Services Agreement authorizes SRP to provide design and construction services to install two automatic transfer switches (ATS), two four-way switches, and two transformers. The new electrical equipment will be fed by two new services to provide redundancy for the infrastructure. The existing equipment and Service Entrance Station (SES) will remain in service until the new equipment has been energized.

Contract Term
The agreement term is for one year starting on or about Oct. 15, 2021.

Financial Impact
Funding in the amount of $552,928 is available in the Water Services Department's Capital Improvement Program budget.

Location
44th Street and University Drive

Council District: 8

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 92

Salt River Project Distribution Design and Construction Services Contract for Lift Station 41 - WS90400082 (Ordinance S-47625)

Request to authorize the City Manager, or his designee, to enter into a Distribution Design and Construction Services Contract with Salt River Project for installation of new electrical equipment for City of Phoenix Lift Station 41. Further request to grant an exception pursuant to Phoenix City Code 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 42-18.

Summary
The City is constructing electrical modifications and improvements at Lift Station 41, which has created a need to swap an existing radial transformer feeding the site for a new looped transformer. This is a zero-dollar contract as there is no cost to the City for the new transformer.

Contract Term
The term of the contract will begin on or about June 2, 2021, and will expire when the project is completed and accepted.

Financial Impact
There is no financial impact to the City.

Location
48th Street, south of Pecos Road
Council District: 6

Responsible Department
This item is submitted by Deputy City Managers Mario Paniagua and Karen Peters, and the Street Transportation and Water Services departments.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 93

Citywide Engineering/Consulting On-Call Services (Agreement 153170) for Calendar Years 2021-22 - Amendment (Ordinance S-47640)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 153170 with Kimley-Horn and Associates, Inc. to provide additional Engineering/Consulting On-Call Services citywide for various projects. 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 $500,000.

Summary

The purpose of this amendment is to increase contract capacity to provide services that may include studies, plan review, special inspections, programming, master planning, design, construction document development, and construction administration and inspection services.

This amendment is necessary because contract capacity has already been expended and additional funds are needed to allow continuity of services to departments citywide in support of the City's Capital Improvement Program. This amendment will provide additional funds to the agreement.

Contract Term

The term of the Master Agreement remains unchanged. 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/Consulting On-Call Services was executed for a fee not-to-exceed $1.2 million, including all subconsultant and reimbursable costs.
- Amendment 1 will increase the agreement by an additional $500,000, for a new total not-to-exceed agreement value of $1.7 million, including all subcontractor and reimbursable costs.

Funding for this amendment is available in the various Citywide departments' Capital Improvement Program or Operating budgets. The Budget and Research Department will separately review and approve funding availability prior to the execution of any On-Call task order of $100,000 or more. 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/Consulting On-Call Services Agreement 153170 (Ordinance S-47024) on Oct. 21, 2020.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua, the Street Transportation Department, and the City Engineer.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 94

Citywide Engineering/Consulting On-Call Services (Agreement 153184) for Calendar Years 2021-22 - Amendment (Ordinance S-47641)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 153184 with Ritoch-Powell & Associates Consulting Engineers, Inc. to provide additional Engineering/Consulting On-Call Services citywide for various projects. 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 $250,000.

Summary

The purpose of this amendment is to increase contract capacity to provide services that may include studies, plan review, special inspections, programming, master planning, design, construction document development, and construction administration and inspection services.

This amendment is necessary because contract capacity has already been expended and additional funds are needed to allow continuity of services to departments Citywide in support of the City's Capital Improvement Program. This amendment will provide additional funds to the agreement.

Contract Term

The term of the Master Agreement remains unchanged. 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/Consulting On-Call Services was executed for a fee not-to-exceed $1.2 million, including all subconsultant and reimbursable costs.
- Amendment 1 will increase the agreement by an additional $250,000, for a new total not-to-exceed agreement value of $1.45 million, including all subcontractor and reimbursable costs.

Funding for this amendment is available in the various citywide departments' Capital Improvement Program or Operating budgets. The Budget and Research Department will separately review and approve funding availability prior to the execution of any On-Call task order of $100,000 or more. 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/Consulting On-Call Services Agreement 153184 (Ordinance S-47024) on Oct. 21, 2020.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua, the Street Transportation Department, and the City Engineer.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** *95

REQUEST TO CONTINUE (SEE ATTACHED MEMO) Citywide Asbestos and Lead Abatement Job Order Contracting Services - 4108JOC198 (Ordinance S-47647)

Request to authorize the City Manager, or his designee, to enter into separate master agreements with four contractors to provide Citywide Asbestos and Lead Abatement Job Order Contracting services. Further request to authorize execution of amendments to the agreements 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 total fee for services will not exceed $10 million.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services relating to the development, design, and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunications, cable television, railroads, and other modes of transportation. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

Summary

The Contractors' services will be used on an as-needed basis to provide Citywide Asbestos and Lead Abatement Job Order Contracting (JOC) that includes abatement, transport and disposal, documentation, "put back" of materials, and other environmental services as requested.

These Agreements are essential to the health, safety, and welfare of the public and critical operations for the City.

Procurement Information

The selections were made using a qualifications-based selection process set forth in section 34-604 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S.

section 34-604(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. Nine firms submitted proposals and are listed below.

Selected Firms
Rank 1: East Valley Disaster Services Inc.
Rank 2: Comprehensive Risk Services, LLC
Rank 3: Spray Systems of Arizona Inc.
Rank 4: Southwest Hazard Control, Inc.

Additional Proposers
Rank 5: ATI Holdings, LLC
Rank 6: Viking Specialty Services, LLC
Rank 7: Kary Environmental Services, Inc.
Rank 8: Belfor Environmental, Inc.
Rank 9: Square One Builders LLC

Contract Term
The term of each master agreement is for up to four years, or up to $2.5 million, whichever occurs first. Work scope identified and incorporated into the master agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the master agreement. No additional changes may be executed after the end of the term.

Financial Impact
The master agreement values for each of the JOC contractors will not exceed $2.5 million, including all subcontractor and reimbursable costs. The total fee for all services will not exceed $10 million. The value for each job order agreement performed under this master agreement will be up to $1 million each. In no event will any job order agreement exceed this limit without Council approval to increase the limit.

Funding is available in the Citywide Capital Improvement Program and/or Operating budgets. The Budget and Research Department will review and approve funding availability prior to issuance of any job order agreement. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Responsible Department
This item is submitted by Deputy City Manager Mario Paniagua, the Street Transportation Department, and the City Engineer.

City of Phoenix

To: Mario Paniagua
Deputy City Manager

Date: June 1, 2021

From: Eric Froberg
City Engineer

Subject: REQUEST TO CONTINUE ITEM 95 ON THE JUNE 2, 2021 FORMAL AGENDA – CITYWIDE ASBESTOS AND LEAD ABATEMENT JOB ORDER CONTRACTING SERVICES

This memo is to request a continuance of item 95 (Citywide Asbestos and Lead Abatement Job Order Contracting Services) on the June 2, 2021 Formal Agenda to June 16, 2021 Formal Agenda. The continuance will allow additional time to address questions regarding the procurement process outlined by A.R.S 34-604 from a non-selected proposer.

Approved:

Mario Paniagua
Deputy City Manager

6/1/21
Date

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 96

Happy Valley Road: 67th to 35th Avenues Improvements - Engineering Services - ST85100437 (Ordinance S-47648)

Request to authorize the City Manager, or his designee, to enter into an agreement with Wilson & Company Inc., Engineers & Architects, to provide Engineering Services that include design and post-design services for the Happy Valley Road: 67th to 35th Avenues Improvements 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. The total fee for services will not exceed $1.56 million.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services related to the development, design and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunications, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception pursuant to Phoenix City Code 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 42-18. This authorization excludes any transaction involving an interest in real property.

Summary

The purpose of this project is to improve Happy Valley Road from 67th Avenue to 35th Avenue to be in compliance with the current City of Phoenix Street Planning and Design Guidelines, Administrative Procedure 155, the American Association of State Highway and Transportation Officials, and City of Phoenix Storm Drain Manual design criteria. The scope of work includes improving cross sections with median islands, revised travel lane widths, curb and gutter modifications, buffered bike lanes, bus pads, milling and paving, street lighting, utility adjustments, drainage, traffic signal upgrades, and landscaping enhancements.

Wilson & Company Inc., Engineers & Architect's services include, but are not limited to: data collection and field survey; construction plans, engineer's cost estimates and special provisions; prepare a drainage memorandum, geotechnical report and documents needed for Right-of-Way Acquisition and Temporary Construction Easements; provide post-design assistance through construction contract award; and work with the City's public outreach firm on project public engagement.

This agreement is essential to the health, safety, and welfare of the public and critical operations for the City.

Procurement Information
The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. section 34-603(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. Five firms submitted proposals and are listed below:

Selected Firm
Rank 1: Wilson & Company Inc., Engineers & Architects

Additional Proposers
Rank 2: Entellus, Inc.
Rank 3: Premier Engineering Corporation, a wholly owned subsidiary of Olsson
Rank 4: Project Engineering Consultants

Contract Term
The term of the agreement is four years from issuance of the Notice to Proceed. 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 agreement value for Wilson & Company Inc., Engineers & Architects will not exceed $1.56 million, including all subconsultant and reimbursable costs.

Funding is available in the Street Transportation 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 rendered agreement services, which may extend past the agreement termination.

Location
Happy Valley Road from 67th to 35th avenues
Council District: 1

Responsible Department
This item is submitted by Deputy City Manager Mario Paniagua, the Street Transportation Department, and the City Engineer.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 97

Resolution to Re-Open Alley (Resolution 21925)

Request City Council approval of a Resolution allowing for the reopening of a portion of the alley south of Jackson Street, between Central Avenue and 1st Street and repealing part of Resolution 17627 relating to such portion of the alley originally closed.

Summary
The official plat of the Original Townsite of Phoenix approved by the City Council on Oct. 22, 1895, dedicated 25 feet of alley south of Jackson Street between Central Avenue and 1st Street to be open to public use as an alley. On Jan. 31, 1990, the City Council passed Resolution 17627, closing the alley south of Jackson Street between Central Avenue and 1st Street.

Staff requests City Council approval to reopen the alley, described in **Attachment A**, in order to comply with Chapter 12 of the Downtown Code, sec. 1206.4a Parking and Loading Access, which requires private access to be taken from adjacent alleys to reduce conflicts on pedestrian designated streets. Reopening the alley is necessary for the proposed Phoenix Opportunities Industrialization Center development.

Financial Impact
This action has no financial impact to the City of Phoenix.

Concurrence/Previous Council Action
The City Council approved closing the alley south of Jackson Street between Central Avenue and 1st Street (Resolution 17627) on Jan. 31, 1990.

Location
The alley located south of Jackson Street between Central Avenue and 1st Street.
Council District: 7

Responsible Department
This item is submitted by Deputy City Manager Mario Paniagua and the Street Transportation Department.

Attachment A – Legal Description and Map

LEGAL DESCRIPTION OF

PUBLIC RIGHT OF WAY TO BE RE-OPENED AS TO PUBLIC USE

That certain alley in Block 49, ORIGINAL TOWNSITE OF PHOENIX, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 2 of Maps at page 51, lying between the Southerly prolongation of the East line of Lot 1 in said Block 49 and the Southerly prolongation of the West line of Lot 11 in said Block 49.

MAP OF

PUBLIC RIGHT OF WAY TO BE RE-OPENED AS TO PUBLIC USE



City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 98

38th Street Relief Sewer: Phase 2 - 38th Street - Design-Bid-Build Services - WS90500302 (Ordinance S-47598)

Request to authorize the City Manager, or his designee, to accept Archer Western Construction, LLC as the lowest-priced, responsive and responsible bidder and to enter into an agreement with Archer Western Construction, LLC for Design-Bid-Build Services for the 38th Street Relief Sewer: Phase 2 - 38th Street project. Further request to authorize the City Controller to disburse all funds related to this item. The fee for services will not exceed $2,213,877.

Summary

The purpose of this project is to install approximately 3,500 linear feet of new 8-inch sanitary sewer line along 38th Street and 38th Place from Lincoln Drive to Bethany Home Road. The proposed 8-inch gravity sewer main will also tie into the existing City of Phoenix wastewater collection system upstream of Lift Station 54 and allow for its abandonment.

Archer Western Construction, LLC's services include, but are not limited to: installing approximately 3,500 linear feet of new 8-inch sanitary sewer line, 21 new sewer manholes, 400 linear feet of 6-inch sewer services, two drainage inlets with 80 linear feet of new 18-inch storm drain crossing, work to adjust the intersection of 38th Place and Berridge Lane to a “T” intersection, restoration of signing and striping, and miscellaneous landscaping restoration. This project is within Town of Paradise Valley right-of-way.

This Agreement is essential to the health, safety, and welfare of the public and critical operations for the City.

Procurement Information

The selection was made using an Invitation for Bids procurement process set forth in section 34-201 of the Arizona Revised Statutes. Two bids were received on April 13, 2021, and were sent to the Equal Opportunity Department for review to determine subcontractor eligibility and contractor responsiveness in demonstrating responsiveness to Small Business Enterprise program requirements.

The Opinion of Probable Cost and the one lowest responsive, responsible bidder is listed below:

Opinion of Probable Cost: $3,214,131
Archer Western Construction, LLC : $2,213,877

Bidders who were deemed non-responsive are listed below, in alphabetical order:
Action Direct LLC dba Redpoint Contracting

The bid award amount is within the total budget for this project.

The reason for the variance from the Opinion of Probable Cost to the lowest responsive, responsible bid could be an indication that they anticipate completing the work with higher production under better conditions than Phase 1. The OPC conservatively estimated the rate of pipeline production to be 50 linear feet per day based on review of the geotechnical report.

Contract Term
The term of the agreement is 240 calendar days from issuance of the Notice to Proceed. 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 agreement value for Archer Western Construction, LLC will not exceed $2,213,877, including all subcontractor and reimbursable costs.

Funding 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 rendered agreement services, which may extend past the agreement termination.

Location
38th Street to 38th Place from Lincoln Drive to Bethany Home Road
Council District: 6 and Out of City

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: 6/2/2021, **Item No.** 99

PVC and CPVC Pipe, Valves and Fittings - Request for Award (Ordinance S-47597)

Request to authorize the City Manager, or his designee, to enter into an agreement with Harrington Industrial Plastics to provide PVC and CPVC pipe, valves and fittings on an as-needed basis. Further request to authorize the City Controller to disburse all funds related to this item. The agreement amount will not exceed $850,000.

Summary

The purpose of this agreement is to purchase PVC and CPVC pipe, valves and fittings on an as-needed basis. This agreement will allow the Water Services Department (WSD) to maintain the infrastructure of various facilities. WSD uses PVC and CPVC pipe, valves and fittings for a wide variety of projects, including indoor and outdoor plumbing maintenance and repairs, plant process air and water lines, above and below ground irrigation, and chemical handling systems.

Procurement Information

The recommendations were made using an Invitation for Bids procurement process in accordance with City of Phoenix Administrative Regulation 3.10.

Three vendors submitted bids and are listed below, and all bids were found to be responsive and responsible.

Selected Bidder
Harrington Industrial Plastics

Other Bidders
Ferguson Waterworks
Ryan Herco Flow Solutions

Contract Term

The agreement will begin on or about June 2, 2021, for a five-year aggregate term with no options to extend.

Financial Impact

The agreement value for Harrington Industrial Plastics will not exceed $850,000.

Funding is available in the Water Services Department's budget.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 100

Parts and Services for Cues-Brand Equipment, Parts and Related Services - Amendment (Ordinance S-47601)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 144417 with Arizona Wastewater Industries, Inc., to provide additional funding to the agreement. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures for services and goods included in this amendment will not exceed $123,200.

Summary

The purpose of this amendment is to continue preventive maintenance and repairs of the existing Cues sewer and pipeline inspection equipment that the Water Services Department uses to assess the condition of the wastewater infrastructure. Due to the necessity of a software upgrade, the purchase of additional software licenses and repairs of the Cues equipment, it is necessary to add funds to continue to perform preventive maintenance, upgrades and repairs of the existing systems.

The additional goods and services include, but are not limited to supply of Cues inspection equipment and products, replacement parts, and repair services.

Contract Term

The Agreement's term will remain unchanged, ending on Jan. 31, 2022.

Financial Impact

The initial authorization for the Cues-Brand Equipment, Parts and Related Services Agreement was for an expenditure not-to-exceed $350,000. An amendment increased the authorization for the agreement by $73,000. This amendment will increase the authorization for the agreement by an additional $123,200, for a new total not-to-exceed agreement value of $546,200.

Funding is available in the Water Services Department's Operating budget.

Concurrence/Previous Council Action

The City Council approved:

- Parts and Services for Cues-Brand Equipment, Parts and Related Services

Agreement 144417 (Ordinance S-43202) on Jan. 25, 2017; and
- Parts and Services for Cues-Brand Equipment, Parts and Related Services Agreement 144417 - Amendment (Ordinance S-45851) on June 26, 2019.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 101

Water Softener Exchange Rental Services Agreement - Request for Award (Ordinance S-47607)

Request to authorize the City Manager, or his designee, to enter into an agreement with Rayne of Phoenix, to provide water softener exchange rental services for the purpose of removing dissolved hard materials. Further request authorization for the City Controller to disburse all funds related to this item. The agreement will not exceed $125,000.

Summary

Water softener exchange rental services and maintenance are required to soften water for disinfection systems at the water treatment plants and remote facilities. These systems are used to disinfect the water per water treatment regulations. Water must be softened in order for the disinfection system to function properly. The purpose of this agreement is to provide the Water Services Department with water softener exchange tanks to remove calcium and magnesium ions during this water treatment process.

Rayne of Phoenix's services include but are not limited to monitoring water softening resin levels, draining, cleaning and tank refills, and removal of tanks. The contract also provides all labor, materials, supplies, and associated services necessary for water softener tanks, equipment and maintenance and repair.

Procurement Information

The recommendation was made using an Invitation for Bids procurement process in accordance with City of Phoenix Administrative Regulation 3.10.

One vendor submitted a bid and is listed below and was found to be responsive and responsible.

Selected Bidder
Rayne of Phoenix

Contract Term

The agreement will begin on or about Nov. 1, 2021, for a five-year aggregate term.

Financial Impact

The agreement value for Rayne of Phoenix will not exceed $125,000.

Funding is available in the Water Services Department's Operating Budget.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 102

Agreement with Enerwise Technologies, LLC d/b/a CPower and Enroll in Arizona Public Service Peak Solutions Program (Ordinance S-47617)

Request to authorize the City Manager, or his designee, to enter into an agreement with Enerwise Technologies, LLC d/b/a CPower and enroll in the Arizona Public Service Peak Solutions Program. Further request to authorize the City Treasurer to accept all funds related to this item. Estimated revenues are anticipated to be between $5,000 and $20,000 annually.

Summary

The Arizona Public Service (APS) Peak Solutions Program compensates customers for reducing electrical load during demand response events, most commonly during peak hours as needed. CPower is contracted through APS to administer the program and provide compensation to customers enrolled in the APS Peak Solutions Program. The Water Services Department (WSD) seeks to enter into a five-year agreement, which will terminate May 31, 2026, with an option to renew.

Participating in the Program, in addition to the payment terms set forth in the Service Agreement, CPower (Provider) will pay to the City (Customer) $10.00 per kW/month of performance as defined in the Program Rules. Provider will also pay an energy payment, if applicable. Energy payments are earned based on the Curtailment Value, up to and not to exceed, Customer's Enrollment Value for each Event Hour. The energy payment will be based on the following:

a. Called events and tests;
b. A rate of $0.09/kWh; and
c. Average monthly performance must be over 70 percent of Enrollment Value.

Contract Term

The term of this agreement is five years and will terminate on May 31, 2026.

Financial Impact

There is no cost to the City to enter into this agreement. Based on the electrical load anticipated to be reduced, staff estimates this agreement may generate between $5,000 and $20,000 of revenue annually. WSD will receive compensation each December of the participating program year.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 103

Sandblasting and Coating Services Agreement - Request for Award (Ordinance S -47620)

Request to authorize the City Manager, or his designee, to enter into an agreement with Pipeline Video Inspection dba AIMS Companies, to provide sandblasting and coating services for the purpose of removing rust and debris to extend the life of equipment at multiple Water Services Department facilities. Further request authorization for the City Controller to disburse all funds related to this item. The agreement will not exceed $402,500.

Summary

The purpose of this agreement is to provide sandblasting and coating services for various equipment such as pumps, valves and other process equipment at Water Services Department (WSD) Water Production facilities, Wastewater facilities and Remote facilities.

The Offeror's services include, but are not limited to: sandblasting, re-coating for epoxy coat or paint, pickup and deliver equipment to be serviced, and completing a written service report documenting the work performed.

This agreement will replace Sandblasting and Coating Services Agreement 151895 with Riddle Painting and Coatings Company which was approved by City Council on March 18, 2020. Riddle Painting and Coatings Company requested to cancel their agreement due to their inability to provide onsite sandblasting services at its new location.

Procurement Information

The recommendation was made using an Invitation for Bid procurement process in accordance with City of Phoenix Administrative Regulation 3.10.

Three vendors submitted bids and are listed below, and all bids were found to be responsive and responsible.

Selected Bidder:
Pipeline Video Inspection dba AIMS Companies

Other Bidders:
Riley Industrial Services
Revolution Industrial

Contract Term
The agreement will begin on or about July 1, 2021, for a five-year aggregate term with no options to extend.

Financial Impact
The agreement value for Pipeline Video Inspection dba AIMS Companies will not exceed $402,500.

Funding is available in the Water Services Department's Operating budget.

Responsible Department
This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 104

Agreement with National Forest Foundation (Ordinance S-47633)

Request to authorize the City Manager, or his designee, to enter into an agreement with the National Forest Foundation, which has partnered with the City of Phoenix since 2015 to conduct forest restoration and watershed enhancement projects that protect the water quality in the Salt and Verde Rivers. Further request to authorize the City Controller to disburse all funds related to this item. The agreement amount will not exceed $600,000.

Summary

The Water Services Department obtains more than half of its raw water supply from the highly-forested Salt and Verde watershed and its suitable water quality is critical to the City. Experts advise that in the future, forest fires will ensue over longer seasons, be larger, and more numerous. These conditions have a high potential to degrade source water quality and negatively impact the City's water production processes. It is in the City's best interest to enter into this strategic partnership to mitigate these risks. The National Forest Foundation (NFF) will help create water security that supports continued public safety and economic development by designing and implementing cost-effective and protective Salt-Verde watershed projects. Funds invested from the City of Phoenix have been involved with NFF projects that have received both the Crescordia and President's Award for sustainability from Arizona Forward. The City will continue to work collaboratively with NFF on projects such as sediment reduction, soil stability, fire and flood risk reduction, hydrologic improvement, riparian restoration and other watershed-based improvements.

Procurement Information

In accordance with City of Phoenix Administrative Regulation 3.10, competitive procurement was waived as a result of a Determination Memo citing NFF has the only congressionally-chartered partnership with the U.S. Forest Service and expertise in projects that reduce erosion and sedimentation. NFF provides a singular opportunity for the City to participate in funding projects that lessen wildfire-related impacts which impair near- and long-term water quality.

Contract Term

The agreement term is for three years effective July 1, 2021, through June 30, 2024.

Financial Impact

The agreement value of the contract is not to exceed $600,000, with annual expenditures of $200,000.

Funding for this contract is available in the Water Services Department's Operating budget and Colorado Water Resiliency Fund.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 105

Agreement with The Nature Conservancy (Ordinance S-47634)

Request to authorize the City Manager, or his designee, to enter into an agreement with The Nature Conservancy, which has partnered with the City of Phoenix since 2017 to fund projects designed to protect the flows and improve water quality in the Salt and Verde rivers. Further request to authorize the City Controller to disburse all funds related to this item. The agreement amount will not exceed $450,000.

Summary

The Water Services Department obtains more than half of its raw water supply from the Salt and Verde watershed. Reliable flows are critical to the City. Disruptions could result in increased water treatment costs and/or service interruptions. It is in the City's best interest to enter into this strategic partnership to mitigate risks to the rivers and in doing so, to provide leadership to other Valley water providers. By designing and implementing cost-effective and protective Salt-Verde watershed projects, The Nature Conservancy (TNC) will help create water security that supports continued public safety and economic development. Funds for these projects will be committed to TNC's Salt and Verde Alliance: Healthy Rivers, Healthy Communities.

Procurement Information

In accordance with City of Phoenix Administrative Regulation 3.10, competitive procurement was waived as a result of a Determination Memo citing there is an unusual nature of the goods or services that require a specific vendor due to TNC's network of private and public partners funding the project on the Verde River. TNC provides a one-of-a-kind opportunity for the City to fund collaborative projects that positively impact Phoenix's original water supply.

Contract Term

The agreement term is for three years effective July 1, 2021, through June 30, 2024.

Financial Impact

The agreement value will not to exceed $450,000, with annual expenditures estimated at $150,000.

Funding for this agreement is available in the Water Services Department's Operating budget.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 106

Final Plat - Frys 96 - PLAT 200631 - Southwest Corner of Jomax Road and Norterra Parkway

Plat: 200631
Project: 15-3108
Name of Plat: Frys 96
Owner(s): US Real Estate, Limited Partnership, and Smith Food & Drug Centers, Inc.
Engineer(s): Daniel D. Armijo, RLS
Request: A 6 Lot Commercial Plat
Reviewed by Staff: April 30, 2021
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 southwest corner of Jomax Road and Norterra Parkway.
Council District: 1

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

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 107

Final Plat - The Mint - PLAT 200634 - 500 W. Misty Willow Lane

Plat: 200634
Project: 20-3294
Name of Plat: The Mint
Owner: Happy Valley II, LLC
Engineer: Dennis F. Keogh, RLS
Request: A 3 Lot Commercial Plat
Reviewed by Staff: April 26, 2021
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
500 W. Misty Willow Lane
Council District: 1

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

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 108

Final Plat - Hillstone-West - PLAT 210001 - 24500 N. Cave Creek Dam Road

Plat: 210001
Project: 16-3288
Name of Plat: Hillstone-West
Owner(s): D.R. Horton, Inc., a Delaware Corporation
Engineer(s): Kirk J. Pangus, RLS
Request: A 33 Lot Residential Plat
Reviewed by Staff: April 23, 2021
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. Note: This plat cannot be recorded until the Flowage Easement has been recorded and recording information is written in by the Registered Land Surveyor.

Location
Located at 24500 N. Cave Creek Dam Road
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: 6/2/2021, **Item No.** 109

Final Plat - Biltmore on Turney - PLAT 200621 - 180 Feet East of the Southeast Corner of 20th Street and Turney Avenue

Plat: 200621
Project: 20-2241
Name of Plat: Biltmore on Turney
Owner(s): DL Dalton, LLC, Cambridge Apartments White Center LLC, and Turney Biltmore, LLC
Engineer(s): Alliance Land Surveying, LLC
Request: A 2 Lot Residential Plat
Reviewed by Staff: April 26, 2021
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 180 Feet east on the southeast corner of 20th Street and Turney Avenue.
Council District: 3

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

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 110

Final Plat - McClellan Ranch - Parcels 4 & 5 - PLAT 200622 - North of Dobbins Road and West of 67th Avenue (Alignment)

Plat: 200622
Project: 17-1627
Name of Plat: McClellan Ranch - Parcels 4 & 5
Owner(s): Pulte Home Company, LLC and Meritage Homes of Arizona, Inc.
Engineer(s): Brian J. Benedict, RLS
Request: A 144 Lot Residential Subdivision Plat
Reviewed by Staff: April 26, 2021
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 north of Dobbins Road and west of 67th Avenue (alignment).
Council District: 7

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

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 111

Final Plat - Laveen Vistas Parcel Three, Phase 2 - PLAT 200587 - Northeast Corner of 51st Avenue and Carver Road

Plat: 200587
Project: 05-2131
Name of Plat: Laveen Vistas Parcel Three, Phase 2
Owner(s): HBT of Laveen, LLC
Engineer(s): Clouse Engineering, Inc.
Request: An 80 Lot Residential Plat
Reviewed by Staff: April 20, 2021
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 51st Avenue and Carver Road.
Council District: 8

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

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 112

Final Plat - Harmony at the Park One - PLAT 210024 - Northwest Corner of Polk Street and 20th Street

Plat: 210024
Project: 20-907
Name of Plat: Harmony at the Park One
Owner(s): City of Phoenix
Engineer(s): Richard Stockman, RLS
Request: A 1 Lot Commercial Plat
Reviewed by Staff: May 6, 2021
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 northwest corner of Polk Street and 20th Street.
Council District: 8

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

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 113

Modification of Stipulation Request for Ratification of April 21, 2021 Planning Hearing Officer Action - PHO-1-21--Z-141-97-6 - Approximately 400 Feet Southeast of the Intersection of 50th Avenue and Thistle Landing Drive

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on April 21, 2021. This ratification requires formal action only.

Summary

Application: PHO-1-21--Z-141-97-6
Existing Zoning: CP/GCP
Acreage: 30.64

Applicant: Jason Morris, Withey Morris PLC
Owner: Kyrene Elementary School District
Representative: Jason Morris, Withey Morris PLC

Proposal:
1. Modification of Stipulation 1 regarding general conformance to the site plan dated November 17, 1997.
2. Modification of Stipulation 4 regarding access points onto 50th Street.
3. Deletion of Stipulation 5 regarding right-of-way for a box culvert crossing 50th Street.
4. Deletion of Stipulation 6 regarding a drainage channel and related construction details and right-of-way.
5. Deletion of Stipulation 7 regarding retention for the 100-year 2-hour rainfall event in a single common retention basin.
6. Technical correction to Stipulation 2.

Concurrence/Previous Council Action

Village Planning Committee Recommendation: The Ahwatukee Foothills Village Planning Committee opted not to hear this case.
PHO Action: The Planning Hearing Officer heard this case on April 21, 2021 and took the case under advisement. On May 11, 2021, the Planning Hearing Officer took the

case out from under advisement and recommended approval with modifications and additional stipulations. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

Location

Approximately 400 feet southeast of the intersection of 50th Avenue and Thistle Landing Drive
Council District: 6
Parcel Address: N/A

Responsible Department

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

Attachment A- Stipulations- PHO-1-21_Z-141-97-6

Location: Approximately 400 feet southeast of the intersection of 50th Street and Thistle Landing Drive

Stipulations:

1.	~~That~~ THE development SHALL be in general conformance ~~to~~ WITH the site plan ~~dated~~ DATE STAMPED MARCH 5, 2021 ~~November 17, 1997~~, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
2.	~~That~~ The entire site SHALL be developed with a unified architectural theme. The theme should assure the building colors, elevations, exterior materials, landscaping, lighting and signage convey a sense of continuity throughout the development, as approved by the PLANNING AND Development ~~Services~~ Department.
3.	~~That~~ All loading docks shall be screened from view.
4.	~~That~~ A maximum of ~~two~~ THREE access points SHALL be permitted on~~to~~ 50th Street as approved by the PLANNING AND Development ~~Services~~ Department.
~~5.~~	~~That the developer provide right-of-way as determined by Development Services Department for a box culvert crossing 50th Street at the southwest corner of the site, or in an alternate location as approved by the Development Services Department.~~
5. ~~6.~~	~~That~~ The developer shall provide, at a minimum, right-of-way for a drainage channel along a portion of the east property boundary. This channel shall connect to the channel proposed within the Interstate 10 right-of-way and the existing channel located south of the existing site. The location of this channel shall be consistent with drainage studies approved or accepted by the PLANNING AND Development ~~Services~~ Department. That if required by the PLANNING AND Development ~~Services~~ Department, the applicant shall construct the channel only for that portion which is located outside of the ADOT right-of-way.
6.	THE DEVELOPER SHALL DEDICATE A 20-FOOT-WIDE PUBLIC DRAINAGE EASEMENT ALONG THE SOUTH PROPERTY LINE, ABUTTING THE EXISTING 30-FOOT-WIDE DRAINAGE EASEMENT, AND ALIGNED WITH THE PROPOSED SOUTHERN ACCESS POINT TO 50TH STREET, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
7.	~~That~~ The developer SHALL provide retention for the 100-year 2-hour rainfall event in a single common retention basin, or in an alternate configuration as approved by the PLANNING AND Development ~~Services~~ Department, and to be maintained by a property owner's association.
8.	~~That~~ 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 City. All improvements shall comply with all ADA accessibility standards.

9.	~~That~~ The developer shall provide the City with a revised Traffic Impact Study. Additional right-of-way dedications may be required based upon the approved revised Traffic Impact Study.
10.	PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. 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.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 114

Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-7-20-3 - Approximately 140 Feet North of the Northeast Corner of 19th Avenue and Cheryl Drive (Ordinance G-6857)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-7-20-3 and rezone the site from C-2 to C-2 SP to allow a Special Permit for auto sales and rental, and all underlying C-2 uses.

Summary

Current Zoning: C-2
Proposed Zoning: C-2 SP
Acreage: 2.37
Proposed Use: Auto sales and rental with all underlying C-2 uses

Owner: Native Arizonan Acquisitions V, LLC
Applicant: Grant L. Olds Architects
Representative: Drew Wood

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The North Mountain Village Planning Committee heard this case on April 21, 2021 and recommended approval, per the staff recommendation, by a vote of 13-1.
PC Action: The Planning Commission heard this case on May 6, 2021 and recommended approval, per the North Mountain Village Planning Committee recommendation with an additional stipulation, by a 9-0 vote.

Location

Approximately 140 feet north of the northeast corner of 19th Avenue and Cheryl Drive
Council District: 3
Parcel Addresses: 10233 N. 19th 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 ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-SP-7-20-3) FROM C-2 (INTERMEDIATE COMMERCIAL DISTRICT) TO C-2 SP (INTERMEDIATE COMMERCIAL DISTRICT, SPECIAL PERMIT).

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

SECTION 1. The zoning of a 2.37-acre site located approximately 140 feet north of the northeast corner of 19th Avenue and Cheryl Drive in a portion of Section 30, Township 3 North, Range 3 East, as described more specifically in Exhibit “A”, is hereby changed from “C-2” (Intermediate Commercial District) to “C-2 SP” (Intermediate Commercial District, Special Permit) to allow automobile rental and sales and all underlying C-2 uses.

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”.

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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 in general conformance with the site plan date stamped December 29, 2020, as modified by the following stipulations and approved by the Planning and Development Department.

2. All elevations of the building shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, and/or overhang canopies, as approved by the Planning and Development Department.

3. The development shall provide a minimum of four bicycle parking spaces. The racks shall be an inverted U-type design to allow parking of two bicycles per rack and installed per the requirements of Section 1307.H of the Zoning Ordinance, as approved by the Planning and Development Department.

4. The developer shall replenish the existing landscape island, located behind the back of curb, with minimum 2-inch caliper large canopy shade trees placed minimum 20-feet on center and near the sidewalk to provide thermal comfort for pedestrians, 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 a pedestrian environment.

5. 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.

6. The Public Transit Department shall retain right-of-way and bus stop pad along northbound 19th Avenue north of Cheryl Drive. The bus stop pad shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet. Trees shall be placed to provide 50 percent shade coverage to bus stop pad at full maturity. Relocation, modification, and/or reconstruction of the bus stop shall require prior authorization from the Public Transit Department.

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7. 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.

8. 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 June, 2021.

_____
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)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-SP-7-20-3

REAL PROPERTY SITUATED IN MARICOPA COUNTY, ARIZONA: LOT 1, QUICKTRIP NO. 405, ACCORDING TO BOOK 546 OF MAPS, PAGE 17, AND AMENDED PLAT IN BOOK 549 OF MAPS, PAGE 32, RECORDS OF MARICOPA COUNTY, ARIZONA.
A PORTION OF TRACT A OF PAMELA TERRACE SUBDIVISION, M.C.R. 77 PAGE 34, LYING WITHIN A PART OF LOT 1, SECTION 30, TOWNSHIP 3N, RANGE 3E. GILA AND SALT RIVER MERIDIAN CITY OF PHOENIX MARICOPA COUNTY, ARIZONA.

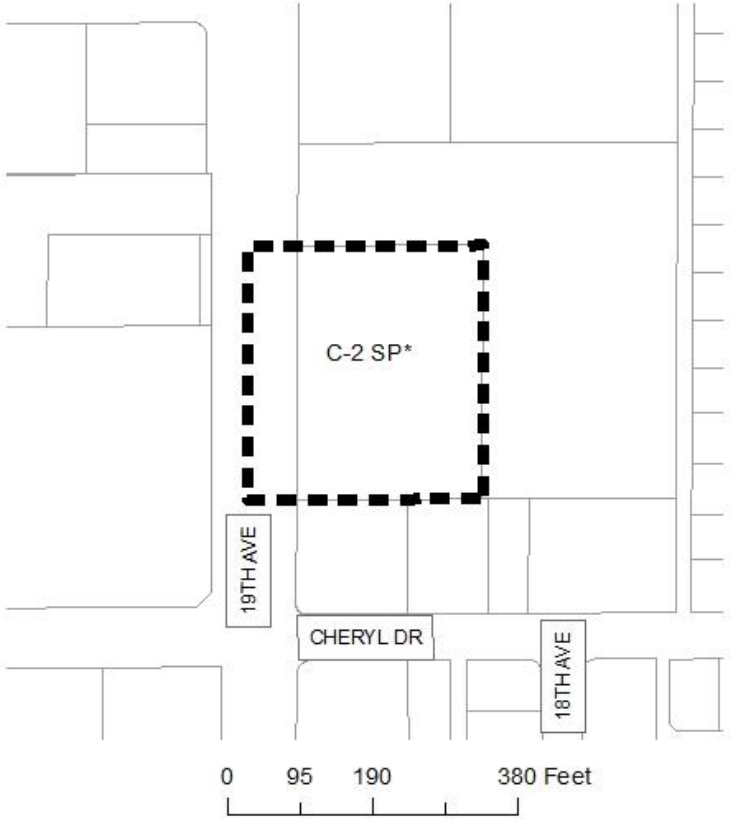
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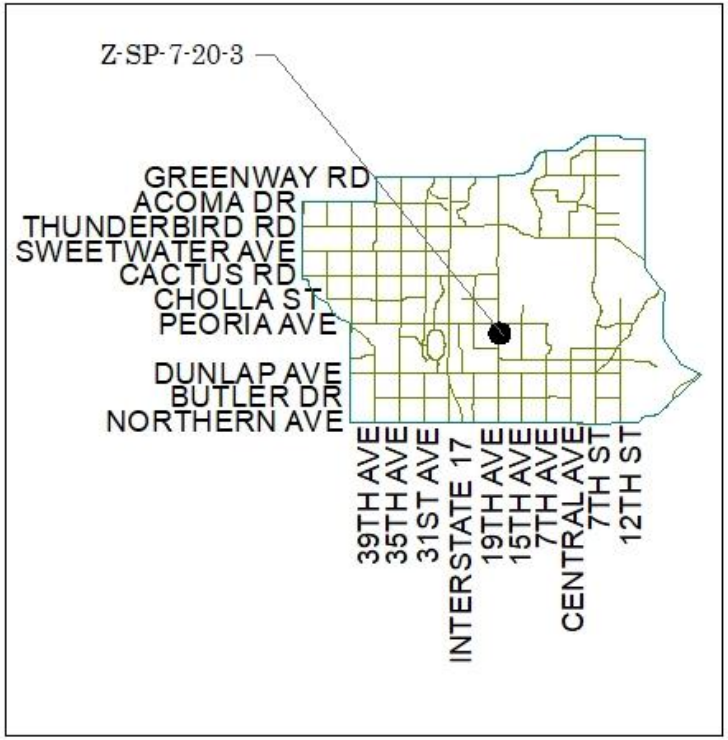
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-SP-7-20-3
Zoning Overlay: N/A
Planning Village: North Mountain





NOT TO SCALE

N

Drawn Date: 4/30/2021

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City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 115

Amend City Code - Ordinance Adoption - Rezoning Application Z-4-21-4 - Northeast Corner of 3rd Street and Clarendon Avenue (Ordinance G-6859)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-4-21-4 and rezone the site from C -2 to WU Code T4:3 MT to allow multifamily residential.

Summary

Current Zoning: C-2 (Intermediate Commercial)
Proposed Zoning: WU Code T4:3 MT (Walkable Urban Code, Transect 4:3 District, Midtown Character Area)
Acreage: 0.73
Proposed Use: Multifamily residential

Owner: BHABK Holdings 1, LLC
Applicant: Amy Malloy, Evolve Ventures
Representative: Amy Malloy, Evolve Ventures

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Encanto Village Planning Committee heard this case on April 5, 2021 and recommended approval, per the staff recommendation, by a vote of 10-0.
PC Action: The Planning Commission heard this case on May 6, 2021 and recommended approval, per the Encanto Village Planning Committee recommendation with an additional stipulation, by a vote of 9-0.

Location

Northeast corner of 3rd Street and Clarendon Avenue
Council District: 4
Parcel Addresses: 3801 and 3805 N. 3rd 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-4-21-4) FROM C-2 (INTERMEDIATE COMMERCIAL DISTRICT) TO WU CODE T4:3 MT (WALKABLE URBAN CODE, TRANSECT 4:3 DISTRICT, TRANSIT MIDTOWN CHARACTER AREA).

_____

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

SECTION 1. The zoning of a 0.73 acre site located at the northeast corner of 3rd Street and Clarendon Avenue in a portion of Section 29, Township 2 North, Range 3 East, as described more specifically in Exhibit “A”, is hereby changed from “C-2” (Intermediate Commercial District) to “WU Code T4:3 MT” (Walkable Urban Code, Transect 4:3 District, Transit Midtown Character Area).

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”.

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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. All public sidewalks shall be detached with a minimum 5-foot-wide landscape area located between the sidewalk and back of curb along the north half of Clarendon Avenue and a minimum 6-foot-wide landscape area located between the sidewalk and back of curb along the east half of Third Street, as approved by the Planning and Development Department.

2. The developer shall provide and maintain the following bicycle infrastructure as described below and as approved by the Planning and Development Department.

    a. Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 spaces near entrances of buildings and installed per the requirements of Section 1306.H. of the Phoenix Zoning Ordinance.

    b. A bicycle repair station ("fix it station") shall be provided on the site. The station shall include but not limited to: standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike, as approved by the Planning and Development Department.

3. The developer shall dedicate a minimum 6-foot-wide sidewalk easement for the east side of 3rd Street, as approved by the Planning and Development Department.

4. The developer shall dedicate a minimum of 5 feet for the west side of the alley, as approved by the Planning and Development Department.

5. All vehicular site access shall be provided from the alley, consistent with the Walkable Urban Code standards and as approved by the Planning and Development Department.

6. All public sidewalks shall be located in a dedicated public sidewalk easement, as approved by the Planning and Development Department.

7. 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.

8. 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.

9. 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.

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. 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.

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. 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.

14. 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 June, 2021.

_____
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)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-4-21-4:

WITHIN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 2 NORTH, AND RANGE 3 EAST HEREIN LOTS 10 AND 11, BLOCK 4, OF THOMAS PLACE, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTRY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 3 OF MAPS, PAGE 67.

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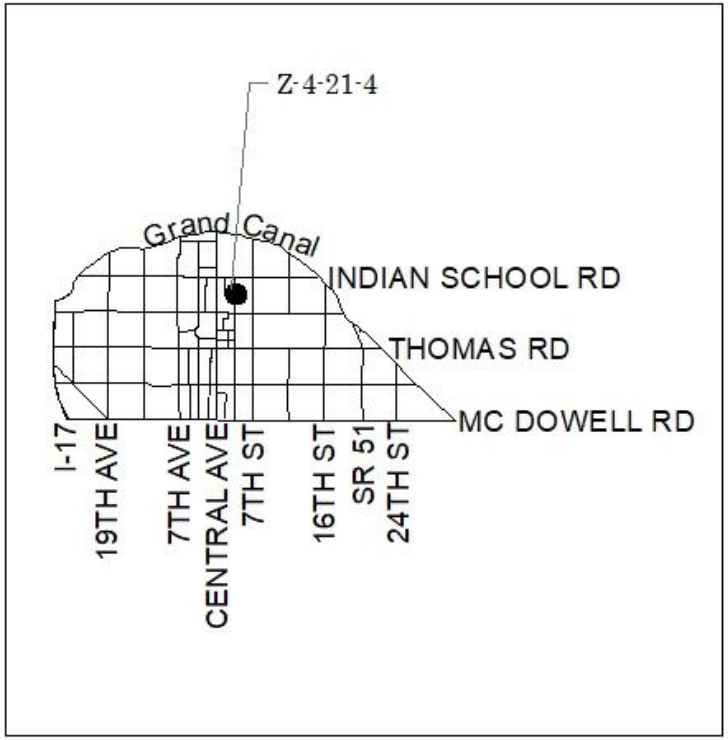
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-4-21-4
Zoning Overlay: N/A
Planning Village: Encanto





NOT TO SCALE

N

Drawn Date: 4/30/2021

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City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 116

Amend City Code - Ordinance Adoption - Rezoning Application Z-9-21-5 - Approximately 800 Feet West of the Southwest Corner of 83rd Avenue and Indian School Road (Ordinance G-6858)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-9-21-5 and rezone the site from PSC to C-2 and R-3A to allow commercial and multifamily residential.

Summary

Current Zoning: PSC (Planned Shopping Center District)
Proposed Zoning: C-2 (Intermediate Commercial District) (1.15 acres) and R-3A (Multifamily Residence District) (3.20 acres)
Acreage: 4.35 acres
Proposed Use: Commercial and multifamily residential

Owner: 8415 West Indian School Road, LLC
Applicant: Ashley Z. Marsh
Representative: Ashley Z. Marsh

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Maryvale Village Planning Committee heard this case on April 14, 2021 and recommended approval, per the staff recommendation, by a vote of 8-0.
PC Action: The Planning Commission heard this case on May 6, 2021 and recommended approval, per the Maryvale Village Planning Committee recommendation with an additional stipulation, by a vote of 9-0.

Location

Approximately 800 feet west of the southwest corner of 83rd Avenue and Indian School Road
Council District: 5
Parcel Addresses: 8411, 8415, 8419, and 8455 W. Indian School 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 (CASE Z-9-21-5) FROM PSC (PLANNED SHOPPING CENTER DISTRICT) TO C-2 (INTERMEDIATE COMMERCIAL DISTRICT) AND R-3A (MULTIFAMILY RESIDENCE DISTRICT) .

_____

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

SECTION 1. The zoning of a 4.35-acre site located approximately 800 feet west of the southwest corner of 83rd Avenue and Indian School Road in a portion of Section 27, Township 2 North, Range 1 East, as described more specifically in Exhibit “A”, is hereby changed from 4.35 acres of “PSC” (Planned Shopping Center District) to 1.15 acres of “C-2” (Intermediate Commercial District) and 3.20 acres of “R-3A” (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”.

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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 residentially zoned portion of the site shall be in general conformance with the site plan and elevations date stamped February 9, 2021, as modified by the following stipulations and approved by the Planning and Development Department.

2. The conceptual site plan and elevations for the commercial portion of the site shall be administratively approved by the Planning Hearing Officer prior to preliminary site plan approval with specific regard to the inclusion of the below elements. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Planning and Development Department.

    a. Location and orientation of driveway and trash receptables in relation to the single-family residential neighborhood to the west.

    b. Clearly defined accessible pedestrian pathways to connect building entrances and public sidewalks, using the most direct route for pedestrians.

    c. Pedestrian connection between multifamily and commercial parcels.

    d. All elevations of the building/s shall contain architectural embellishments and detailing, such as: textural changes, pilasters, offsets, recesses, variation in window size or location, overhang canopies, or similar features.

3. The commercially zoned portion of the site shall provide a minimum 20-foot-wide landscape setback adjacent to the west property line and the residentially zoned portion of the site shall provide a minimum 15-foot-wide landscape setback along the west property line. The landscape setbacks shall be planted with large evergreen trees planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department. Sixty percent of the trees shall be minimum 2-inch caliper, 40 percent of the trees shall be minimum 3-inch caliper with five 5-gallon shrubs per tree, as approved by the Planning and Development Department.

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4. Resident bicycle parking shall be provided at a rate of 0.25 spaces per dwelling unit, up to a maximum of 50 spaces, as approved by the Planning and Development Department. These spaces shall be located near building entrances or common areas and may be provided through a combination of inverted U-bicycle racks, artistic style racks, “Secure/Covered Facilities” or “Outdoor/Covered Facilities” as defined in Appendix K or the Comprehensive Bicycle Master Plan.

5. The developer shall provide a minimum 5-foot wide detached sidewalk and a minimum 13-foot wide landscape strip located behind the back of curb to the back of sidewalk along Indian School Road, per Cross Section D, as identified on the Street Classification Map, as approved by the Planning and Development Department. Minimum 2-inch caliper trees shall be planted 20 feet on center or in equivalent groupings with five 5-gallon shrubs per tree, 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 a pedestrian environment.

6. Access proposed onto Piccadilly Road shall be restricted to emergency access only, as approved by the Planning and Development Department.

7. 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.

8. 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.

9. Trees shall be placed to provide 75 percent shade coverage on all pedestrian pathways and sidewalks at full maturity. Shade structures may be used to meet the shade requirement in places where trees are unable to be located, as approved by the Planning and Development Department.

10. 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.

11. 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 June, 2021.

_____
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)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-9-21-5

LOT 2, FINAL PLAT "SWC 84TH AVE. & INDIAN SCHOOL ROAD." ACCORDING TO PLAT RECORDED IN BOOK 693 OF MAPS, PAGE 28, RECORDS OF MARICOPA COUNTY, ARIZONA.

A PORTION OF THE NE ¼ OF SECTION 27, T.2N., R.1E., G. & S. R. M.,

MARICOPA COUNTY, ARIZONA

PARENT PARCEL:

LOT 2, FINAL PLAT "SWC 84TH AVE. & INDIAN SCHOOL ROAD."

ACCORDING TO PLAT RECORDED IN BOOK 693 OF MAPS, PAGE 28, RECORDS OF MARICOPA COUNTY, ARIZONA.

LOT 2A:

THE NORTH 258.00 FEET, AS MEASURED FROM THE SOUTHWEST CORNER OF LOT 1, THE SOUTHERN BOUNDARY OF WHICH, BEING THE WESTERLY ELONGATION OF THE SOUTH LINE OF LOT 1, OF THE FOLLOWING DESCRIBED PROPERTY:

LOT 2, FINAL PLAT "SWC 84TH AVE. & INDIAN SCHOOL ROAD."

ACCORDING TO PLAT RECORDED IN BOOK 693 OF MAPS, PAGE 28, RECORDS OF MARICOPA COUNTY, ARIZONA.

LOT 2B:

LOT 2, FINAL PLAT "SWC 84TH AVE. & INDIAN SCHOOL ROAD."

ACCORDING TO PLAT RECORDED IN BOOK 693 OF MAPS, PAGE 28, RECORDS OF MARICOPA COUNTY, ARIZONA.

EXCEPT: THE NORTH 258.00 FEET, AS MEASURED FROM THE

SOUTHWEST CORNER OF LOT 1, THE SOUTHERN BOUNDARY OF WHICH, BEING THE WESTERLY ELONGATION OF THE SOUTH LINE OF LOT 1, OF SAID FINAL PLAT.

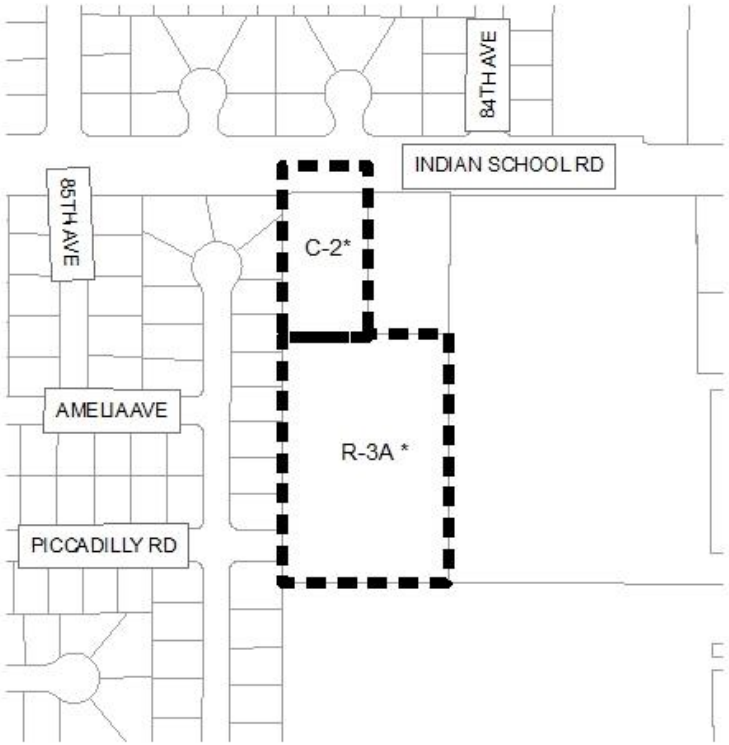
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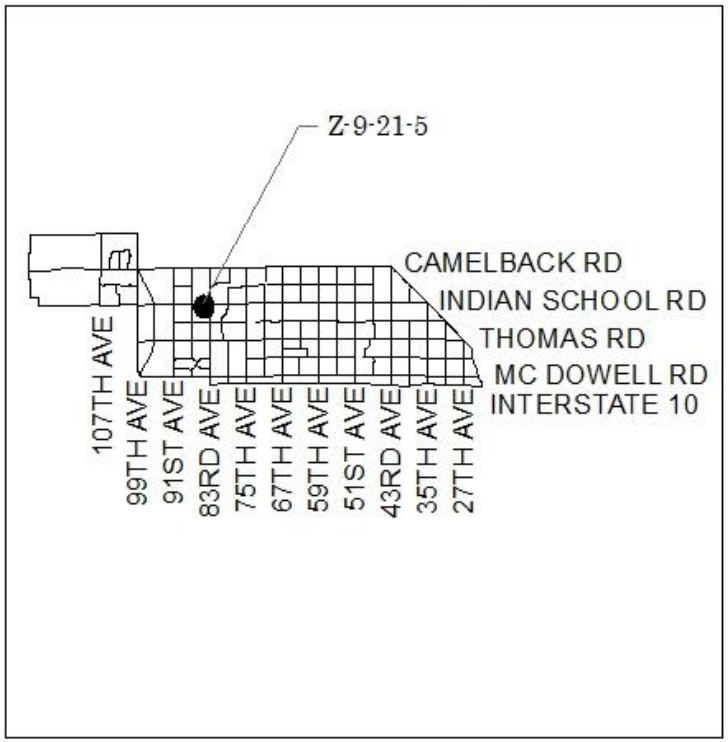
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-9-21-5
Zoning Overlay: N/A
Planning Village: Maryvale





NOT TO SCALE

N

Drawn Date: 4/30/2021

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City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 117

Amend City Code - Ordinance Adoption - Rezoning Application Z-13-21-6 - Southwest Corner of 44th Street and Calle Feliz (Ordinance G-6855)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-13-21-6 and rezone the site from R1-10 (Single-Family Residence District) to R-O (Residential Office - Restricted Commercial District) to allow a medical office.

Summary

Current Zoning: R1-10 (Single-Family Residence District)
Proposed Zoning: R-O (Residential Office - Restricted Commercial District)
Acreage: 0.43 acres
Proposal: Medical office

Owner: Holly Mueller
Applicant: Holly Mueller
Representative: Brian Greathouse, Burch & Cracchiolo, PA

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Camelback East Village Planning Committee heard this case on May 4, 2021 and recommended approval, per the staff recommendation, by a vote of 17-0.
PC Action: The Planning Commission heard this case on May 6, 2021 and recommended approval, per the Camelback East Village Planning Committee recommendation, by a vote of 9-0.

Location

Southwest corner of 44th Street and Calle Feliz
Council District: 6
Parcel Address: 4337 E. Calle Feliz and 4750 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-13-21-6) 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 0.43 acre site located at the southwest corner of 44th Street and Calle Feliz in a portion of Section 19, 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. Any changes to the footprint of the office building as depicted on the site plan date stamped April 7, 2021 shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary site plan approval with specific regard to the inclusion of the below elements. This is a legislative review for conceptual purposes only. Specific development standards and requirements will be determined by the Planning Hearing Officer and the Planning and Development Department.

    a. Trees shall be placed to provide 75 percent shade coverage on all pedestrian paths and sidewalks at full maturity. Shade structures may be used to meet the shade requirement in places where trees are unable to be located.

    b. The office development shall be at a scale and intensity that reflects adjacent residential uses and incorporate architectural features and detailing that are consistent and compatible with existing residential uses in the surrounding area.

2. There shall be a maximum building height of one story and 18 feet.

3. Minimum 2-inch caliper single-trunk shade trees shall be planted 20 feet on center or in equivalent groupings along Calle Feliz and 44th Street, as approved or modified by the Planning and Development Department.

4. A minimum of 75 percent live groundcover shall be provided within all landscape areas.

5. There shall be no internally lit signs on the site. Signage shall be 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 located near building entrances 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. 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.

8. Where pedestrian pathways cross drive aisles, they shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments

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that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.

9. The developer shall provide a 10-foot sidewalk easement on the west half of 44th Street, as approved by the Planning and Development Department.

10. If alley access is proposed and approved, the alley shall be paved per local street standards for the limits of the project, as approved by 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, 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.

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.

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 June, 2021.

_____
MAYOR

ATTEST:

_____City Clerk

APPROVED AS TO FORM:

_____City Attorney

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REVIEWED BY:

_____City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-13-21-6

LOT 63, REGENTS PARK, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA RECORDED IN BOOK 63 OF MAPS, PAGE 40, LOCATED IN A PORTION OF THE SE 1/4 OF THE NE 1/4 OF THE NW 1/4 OF SECTION 19, T.2N, R.4E OF THE GILA & SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

CONTAINING 9,386 SF (0.215 AC.) MORE LESS.

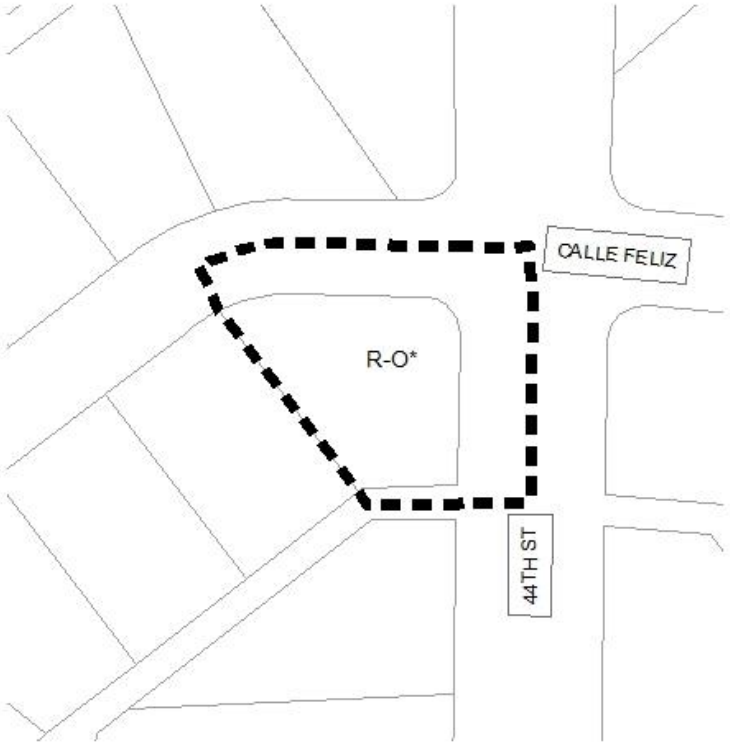
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ORDINANCE LOCATION MAP

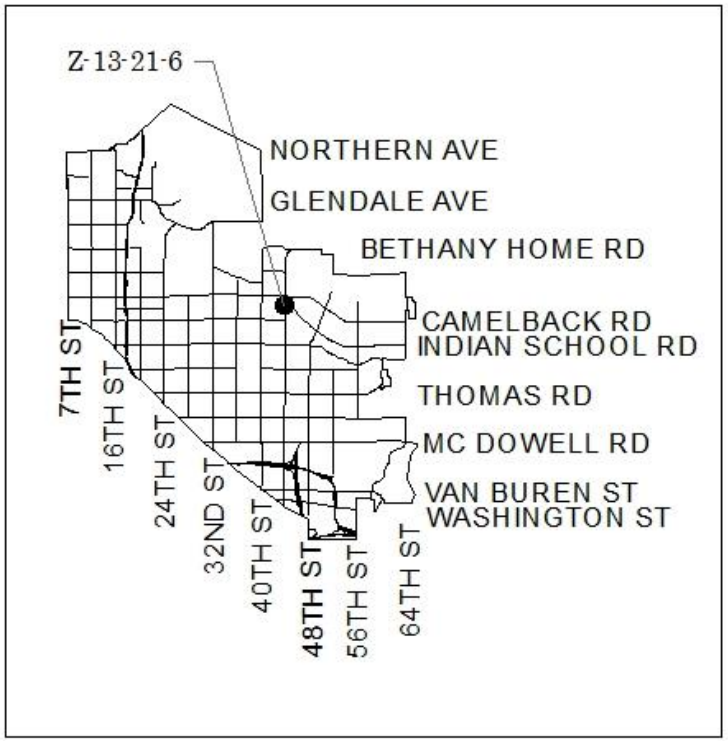
EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-13-21-6
Zoning Overlay: N/A
Planning Village: Camelback East



0 37.5 75 150 Feet



NOT TO SCALE

N

Drawn Date: 4/30/2021

\\one\pdd\Shared\Department Share\Information Systems\PLGIS\IS_Team\Core_Functions\Zoning\SuppMaps_OrdMaps\2021 Ord\6-2-21\Z-13-21-6.mxd

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 118

Amend City Code - Ordinance Adoption - Rezoning Application Z-11-21-8 - Southwest Corner of 19th Street and McDowell Road (Ordinance G-6856)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-11-21-8 and rezone the site from C-2 and P-1 to C-2 HP and P-1 HP to allow a Historic Preservation Overlay for the Valley National Bank Branch #10 (now McDowell Place Senior Center).

Summary

Current Zoning: C-2 (Intermediate Commercial District) (0.56 acres) and P-1 (Parking District) (0.78 acres)
Proposed Zoning: C-2 HP (Intermediate Commercial District, Historic Preservation) (0.56 acres) and P-1 HP (Parking District, Historic Preservation) (0.78 acres)
Acreage: 1.34 acres
Proposed Use: Historic Preservation Overlay for the Valley National Bank Branch #10 (now McDowell Place Senior Center).

Owner: City of Phoenix
Applicant: City of Phoenix, Historic Preservation Commission
Representative: Kevin Weight, City of Phoenix, Planning and Development Department

Staff Recommendation: Approval.
VPC Action: The Central City Village Planning Committee heard this case on April 12, 2021 and recommended approval, per the staff recommendation, by a vote of 10-0.
HPC Action: The Historic Preservation Commission heard this case on April 19, 2021 and recommended approval, per the staff recommendation, by a vote of 8-0.
PC Action: The Planning Commission heard this case on May 6, 2021 and recommended approval, per the Central City Village Planning Committee and Historic Preservation Commission recommendations, by a vote of 9-0.

Location

Southwest corner of 19th Street and McDowell Road.
Council District: 8
Parcel Addresses: 1838 E. Brill St. and 1845 E. McDowell 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 (CASE Z-11-21-8) FROM C-2 (INTERMEDIATE COMMERCIAL DISTRICT) AND P-1 (PASSENGER AUTOMOBILE PARKING, LIMITED DISTRICT) TO C-2 HP (INTERMEDIATE COMMERCIAL, HISTORIC PRESERVATION DISTRICT) AND P-1 HP (PASSENGER AUTOMOBILE PARKING, LIMITED, HISTORIC PRESERVATION DISTRICT) .

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

SECTION 1. The zoning of a 1.34 acre property located at the southwest corner of 19th Street and McDowell Road in a portion of Section 3, Township 1 North, Range 3 East, as described more specifically in Exhibit “A”, is hereby changed from 0.56 acres of “C-2” (Intermediate Commercial District) and 0.78 acres of “P-1” (Passenger Automobile Parking, Limited District) to 0.56 acres of “C-2 HP” (Intermediate Commercial, Historic Preservation District) and 0.78 acres of “P-1 HP” (Passenger Automobile Parking, Limited, Historic Preservation 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. 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 June, 2021.

_____
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)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-11-21-8

A portion of the Northwest Quarter of Section 3, Township 1 North, Range 3 East of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

PARCEL NO. 1:

Lot 1, Block 1, BOSTROM PLACE, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 11 of Maps, page 10;

EXCEPT the North 7 feet thereof.

PARCEL NO. 2:

The East half of the South half of Lot 2, Block 1, BOSTROM PLACE, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 11 of Maps, page 10

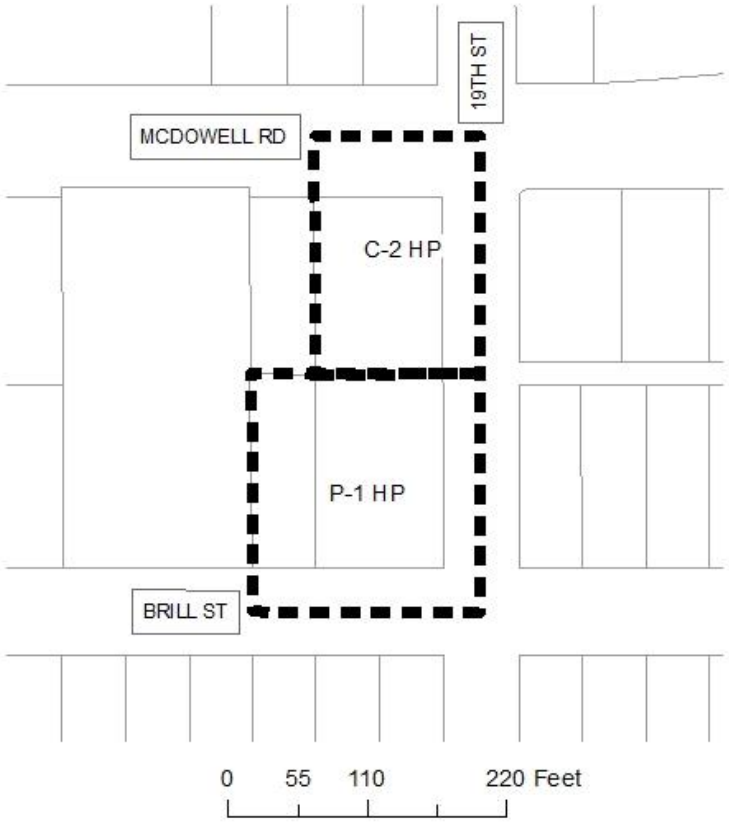
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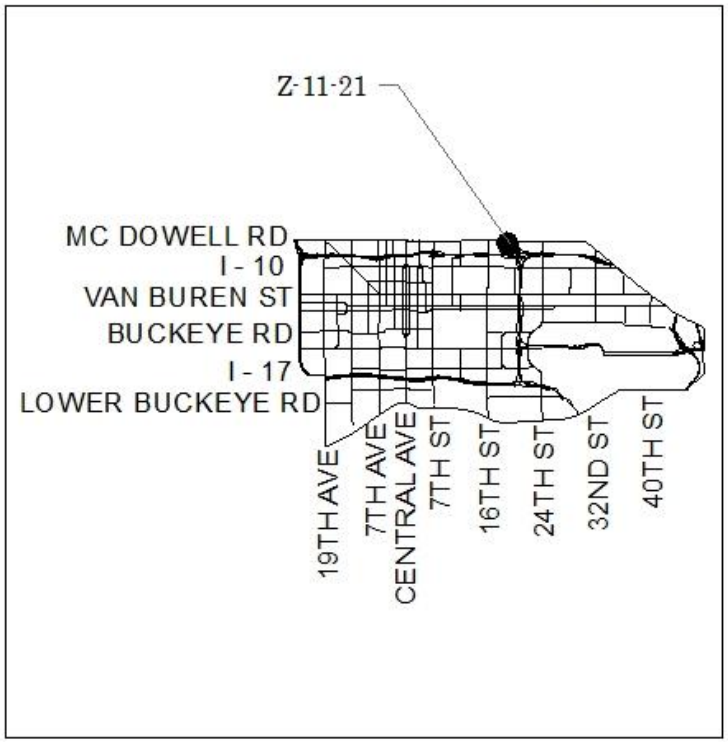
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-11-21
Zoning Overlay: N/A
Planning Village: Central City





NOT TO SCALE

N

Drawn Date: 4/30/2021

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City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 119

Public Hearing and Resolution Adoption - General Plan Amendment GPA-DV-1-21-1 - Southeast Corner of I-17 and Pinnacle Peak Road (Resolution 21926)

Request to hold a public hearing on the request 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-3-21-1 and should be heard first, followed by Z-3-21-1.

Summary

Current Plan Designation: Industrial
Proposed Plan Designation: Mixed Use (Commercial/Commerce/Business Park/Residential 5 to 10 dwelling units per acre and Residential 15+ dwelling units per acre)
Acreage: 44.00
Reason for change: Minor General Pan Amendment to a mix of Commercial, Commerce/Business Park, Residential 5 to 10, and Residential 15+ dwelling units per acre.

Owner: DV 20 AC Limited Liability Partnership
Applicant: George Pasquel III, Withey Morris, PLC
Representative: George Pasquel III, Withey Morris, PLC

Staff Recommendation: Approval.
VPC Action: The Deer Valley Village Planning Committee heard the case on April 8, 2021 and recommended approval, per the staff recommendation, by a vote of 11-0.
PC Action: The Planning Commission heard the case on May 6, 2021 and recommended approval, per the Deer Valley Village Planning Committee recommendation, by a vote of 9-0.

Location

Southeast corner of I-17 and Pinnacle Peak Road
Council District: 1
Parcel Addresses: 23500 N. 23rd Ave.; 2321, 2335, and 2355 W. Pinnacle Peak Road; and 22635 and 23201 N. Black Canyon Highway

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-1-21-1, 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 No. 21307, is hereby amended by adopting GPA-DV-1-21-1, for 44.00 acres located on the southeast corner of I-17 and Pinnacle Peak Road, for Mixed Use (Commercial / Commerce/Business Park / Residential 5 to 10 / Residential 15+ dwelling units per acre), as approved by the City Council on June 2, 2021 and that the Planning and Development Director is instructed to modify The 2015 Phoenix General Plan to reflect this land use classification change as shown below, as recommended by staff:

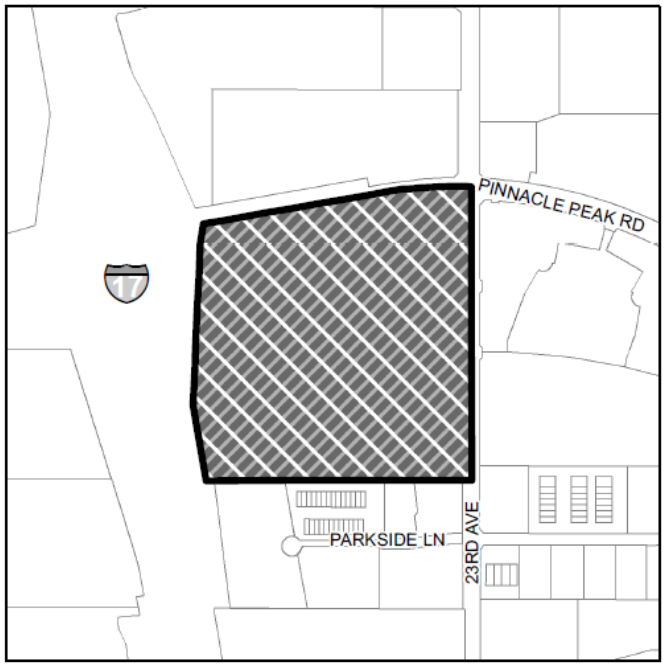
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PROPOSED CHANGE:

Mixed Use (Commercial/
Commerce Park/Business Park/
Residential 5 to10/Residential 15+) (44.00 +/- Acres)

Proposed Change Area

Mixed Use (Commercial/
Commerce Park/Business Park/
Residential 5 to 10 / 15+)



PASSED by the Council of the City of Phoenix this 2nd day of June 2021.

_____
M A Y O R

ATTEST:

_____ City Clerk

APPROVED AS TO FORM:

_____ Acting City Attorney

REVIEWED BY:

_____ City Manager

PL:amt:____v1 (CM __) (Item _) 3/17/21

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Attachment B

City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

GENERAL PLAN AMENDMENT
STAFF ANALYSIS
April 6, 2021

Application:	GPA-DV-1-21-1
Applicant:	George Pasquel III, Withey Morris, PLC
Owner:	DV 20 AC Limited Liability Partnership
Representative:	George Pasquel III, Withey Morris, PLC
Location:	Southeast corner of I-17 and Pinnacle Peak Road
Acreage:	44.00 acres
Current Plan Designation:	Industrial (44.00 acres)
Requested Plan Designation:	Mixed Use (Commercial / Commerce Park/Business Park / Residential 5-10 / Residential 15+) (44.00 acres)
Reason for Requested Change:	Minor General Plan Amendment to a mix of Commercial, Commerce/Business Park, Residential 5 to 10, and Residential 15+ dwelling units per acre
Deer Valley Village Planning Committee Date:	April 8, 2021
Staff Recommendation:	Approval

FINDINGS:

1) The companion rezoning case, Z-3-21-1, proposes development that is consistent in scale and character with land uses in the surrounding area to the north and south.

2) The Mixed Use (Commercial/Commerce Park/Business Park/Residential 5-10 and Residential 15+ du/ac) land use designation will permit new zoning to be applied to the site that maximizes opportunities within the Deer Valley Major Employment Center.

3) The Mixed Use (Commercial / Commerce Park/Business Park / Residential 5-10 / Residential 15+) land use designation will establish compatible uses in close proximity to the Deer Valley Airport and surrounding properties.

BACKGROUND

The subject site is located on the southeast corner of Interstate 17 (I-17) and Pinnacle Peak Road. The site is occupied by a seven-story hotel and four-story office building, which have surface parking areas. These two building are located on the far northwestern portion of the site. The companion Rezoning Case No. Z-3-21-1 is a request to allow R-3 DVAO zoning for residential uses on the southern half of the site.



Aerial Map, Source: Withey Morris

Currently the site has a land use map designation of Industrial. The requested land use map designation will allow for alternative housing choices in the area. Recent development suggests the I-17 corridor area north of Williams Drive is evolving from strictly commercial uses to a mixture of housing choices and commercial uses. The General Plan Land Use Map designation north of Williams Drive is Industrial. The proposed land use map change will serve as a continuation of the proposed land use designations to the north of the subject site. The area has seen increased request for investment for multi-family development north of Pinnacle Peak Road. Requested land use change is concentrated at the western edge of the Deer Valley Overlay to ensure proposed land uses are compatible with ongoing airport operations.

Maps of the existing and proposed General Plan Land Use Map designations can be found attached to this report.

This General Plan Amendment proposes a Mixed Use land use map designation of Commercial / Commerce Park/Business Park / Residential 5-10 dwelling units per acre / Residential 15+ dwelling unit per acre. This Mixed Use designation will allow commercial, commerce park and residential land uses to locate on the site.

EXISTING CONDITIONS AND SURROUNDING LAND USES

The southern half of the subject site is generally flat and undeveloped. There are two existing commercial building on the northwest quadrant of the site. The table below (Figure 2) 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 (across Pinnacle Peak Road)	Residential 5 to 10 dwelling units per acre	Multifamily Residential	R-2 DVAO
South	Industrial	Commercial office/vacant land/warehouse uses	A-1 DVAO and Industrial Park
East (across 23rd Avenue)	Industrial	Warehouse uses and vacant land	A-1 DVAO
West (Across I-17)	Industrial and Transportation	Vacant land	C-1 DVAO, RE-43 DVAO

Surrounding Land Use Designations, Land Use and Zoning

The site is adjacent to the Interstate 17 Freeway and falls within the boundaries of the Maricopa Association of Government's Deer Valley Employment Center. This proximity to the Interstate 17 Freeway and location within an Employment Center reinforces the site's capacity to support land uses associated with industry, employers and supportive housing. The proposed Mixed Use designation supports a mix of land uses that will maximize the area's transportation infrastructure assets and will support the addition of more residential and employers to the area.

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.

The proposed request supports by proposing multifamily residential that is compatible in scale and intensity with the surrounding area and properties adjacent to the site. The development is located in a mixed-use corridor where adjacent properties are multifamily or commercial. The project site is also within a designated employment center. The concentration of people near employment uses promotes the sustainability of nearby commercial uses. The addition of the opportunity to add additional housing choices is consistent with the goals of the Housing Phoenix Plan.

BUILD THE SUSTAINANLE DESERT CITY CORE VALUE

The rezoning case proposes landscaping around all four sides of the building and courtyards. Detached sidewalks along 23rd Avenue framed with landscape strips will provide thermal comfort for pedestrians. The proposal also requires that a minimum of 75 percent of public pedestrian pathways be shaded.

CONCLUSION AND RECOMMENDATION

Staff recommends approval of GPA-DV-1-21-1 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 in an Employment Center.

Writer

David Simmons
April 6, 2021

Exhibits

Sketch Map (1 page)

GENERAL PLAN AMENDMENT

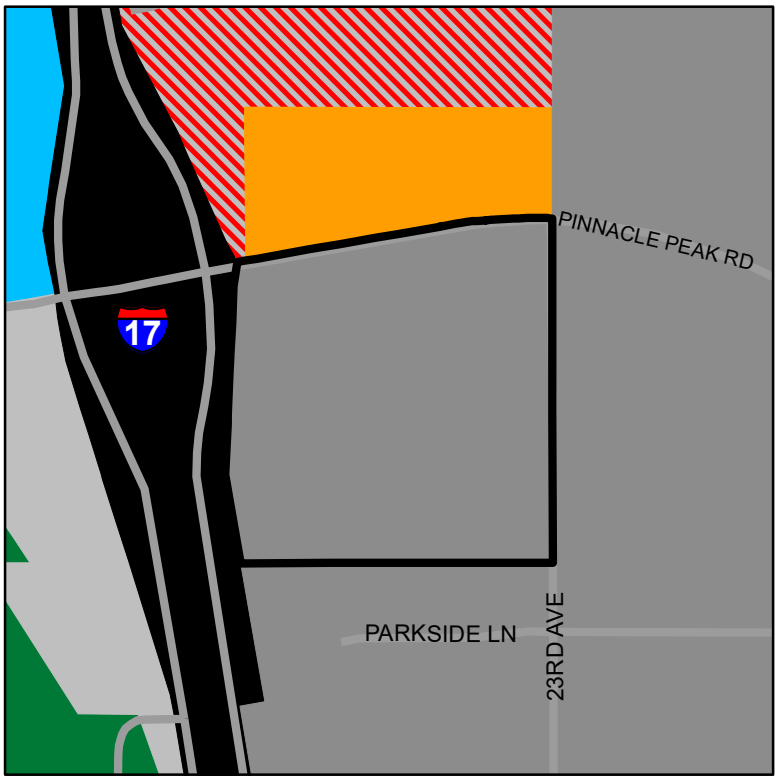
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-DV-1-21-1	ACRES: 44.00 +/-
VILLAGE: Deer Valley	COUNCIL DISTRICT: 1
APPLICANT: City of Phoenix Planning and Development Department	

EXISTING:

Industrial (44.00 +/- Acres)

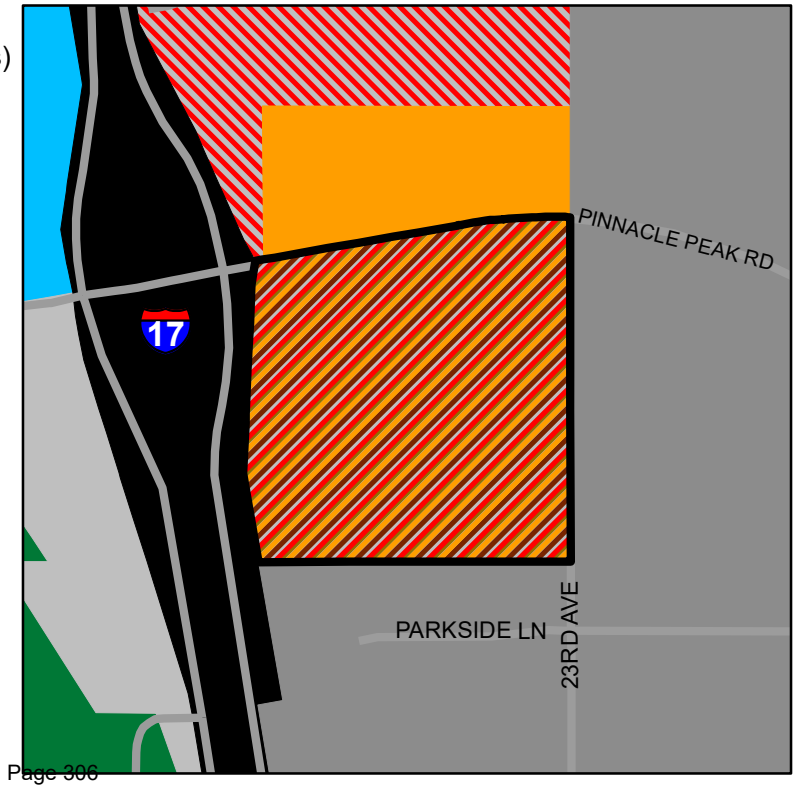
- Proposed Change Area
- Residential 5 to 10 du/ac
- Mixed Use (Commercial / Commerce Park)
- Commerce/Business Park
- Industrial
- Parks/Open Space - Publicly Owned
- Public/Quasi-Public
- Transportation



PROPOSED CHANGE:

Mixed Use (Commercial/
Commerce Park/Business Park/
Residential 5 to10/Residential 15+) (44.00 +/- Acres)

- Proposed Change Area
- Mixed Use (Commercial/ Commerce Park/Business Park/ Residential 5 to 10 / 15+)



Deer Valley
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
GPA-DV-1-21-1

Date of VPC Meeting	April 8, 2021
Request	To amend the General Plan Land Use Designation **from** Industrial **to** Mixed Use (Commercial / Commerce Park/Business Park / Residential 5-10 dwelling units per acre / Residential 15+ dwelling units per acre)
Location	Approximately 44.00 acres located at the southeast corner of I-17 and Pinnacle Peak Road
Recommendation	Approval

VPC DISCUSSION:

Cases GPA-DV-1-21-1 and Z-3-21-1 were heard concurrently.

Mr. David Simmons, staff, went over both the General Plan Amendment request as well as the rezoning request. He explained that the character of the area along the Interstate 17 corridor north of Williams Road is developing with commercial and residential uses. Therefore, this request is consistent with other developments in the area. Further, Mr. Simmons went over the conceptual site plan and elevations and explained the rationale behind the stipulations.

Mr. Keith Greenberg asked if there is only one ingress/egress point.

Mr. Simmons explained that there is one primary ingress/egress point, but did mention that the reis a fire access point on the northeast former of the site.

Mr. Jason Morris and Mr. George Pasquel, with Withey Morris, representing the applicant, co-presented. They went over the General Plan Amendment request first followed by the companions rezoning request. Mr. Morris shared that the Mac Real Estate Group typically develops industrial uses, however, they are interested in developing workforce housing for their industrial developments in the area. Mr. Morris went into great detail about ingress/egress and shared that the original site plan submitted with the request depicted two fire access points, but due to staff's comments one of these fire access points was eliminated. Mr. Morris went on to explain that the main entry point is gated and will include landscape enhancements. Mr. Morris spoke to Mr. Greenburg's inquiry in regard to ingress/egress. Mr. Morris shared the preliminary rendering to show spacing between units and amenity areas.

Mr. Stuart Kimball joined the meeting at 6:32, bringing quorum to 11.

Mr. Ricardo Romero asked about public outreach for the GPA request.

Mr. Morris shared that they did do a great deal of public outreach and collaborated with the property owners to the north resulting in the GPA application including those parcels. Further, he shard that there was no public opposition to the GPA or rezoning request.

Mr. Romero asked if this is their clients first residential product type.

Mr. Morris shared that Mac Real Estate Group has been in business for over 50 years and they have developed residential uses in the past.

Mr. Bill Levy asked if the pool was heated.

Mr. Morris shared that the pool will be heated.

Mr. Levy asked about the price points of the units.

Mr. Morris shared that the price points have yet to be established.

Vice Chair Trilese DiLeo asked if the units were to be rentals or lot sales.

Mr. Morris shared that they will be high end rentals. With a single-family feel.

Vice Chair DiLeo asked if the rents were going to be in the median range.

Mr. Morris shared that the rents will be in the median price range for the surrounding workforce.

Mr. Ozzie Virgil asked the applicant what size the units were going to be.

Mr. Morris shared that there will be 1, 2 and 3 bedroom units with individual electrical meters. He shared that the concept is to serve the workforce in the immediate area.

Mr. Virgil asked Mr. Morris where the applicant recently purchased nearby property for industrial uses.

Mr. Morris shared that his client was the successful bidder on State Trust Land just north of Deer Valley Airport.

Mr. Virgil shared that he has concerns with overflight air traffic from Deer Valley Airport.

Mr. Morris shared that he and his team had met with the Aviation staff and they are ok with the request. Otherwise, they would not have moved forward.

Mr. Virgil shared that he is more concerned about residential so close to the airport.

Mr. Morris shared that the Aviation department does not want to see residential

east of 23rd Avenue or south of the subject site.

Public Comment:

Ms. Peggy Neely shared that she supports the proposal.

Tina Larsen, owner of Candid Realty, spoke in favor of the proposal and shared that this will be a great addition to the area. She shared that these are desirable rentals as they are more single-family like. This is workforce housing, which is needed in the area.

VPC Discussion:

None

MOTION: Vice Chair Trilese DiLeo motioned to recommend approval per staff's recommendation for General Plan Amendment Case No. GPA-DV-1-21-1. Committee member **Mr. Brandon Shipman** seconded the motion.

VOTE: 11-0, motion to recommend approval passed, with Committee Members Grossman, DiLeo, Fergis, Gardner, Greenburg, Kenney, Kimball, Levy, Romero, Shipman and Virgil in favor.

Attachment D

REPORT OF PLANNING COMMISSION ACTION
May 6, 2021

ITEM NO: 8	
	DISTRICT NO.: 1
SUBJECT:	
Application #:	**GPA-DV-1-21-1 (Companion Case Z-3-21-1)**
Location:	Southeast corner of I-17 and Pinnacle Peak Road
From:	Industrial
To:	Mixed Use (Commercial, Commerce/Business Park, Residential 5 to10, and Residential 15+ dwelling units per acre)
Acreage:	44.00
Proposal:	Minor General Plan Amendment to a mix of Commercial, Commerce/Business Park, Residential 5 to 10, and Residential 15+ dwelling units per acre.
Applicant:	George Pasquel III, Withey Morris PLC
Owner:	DV 20 AC Limited Liability Partnership, et al.
Representative:	George Pasquel III, Withey Morris PLC

ACTIONS:

Staff Recommendation: Approval.

Village Planning Committee (VPC) Recommendation:
Deer Valley 4/8/2021 Approval. Vote: 11-0.

Planning Commission Recommendation: Approval, per the Deer Valley Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Commissioner Howard made a MOTION to approve GPA-DV-1-21-1, per the Deer Valley Village Planning Committee recommendation.

Maker: Howard
Second: McCabe
Vote: 9-0
Absent: None
Opposition Present: One registration in opposition; however, they were not present at the meeting.

Findings:

1. The companion rezoning case, Z-3-21-1, proposes development that is consistent in scale and character with land uses in the surrounding area to the north and south.

2. The Mixed Use (Commercial/Commerce Park/Business Park/Residential 5-10 and Residential 15+ dwelling units per acre) land use designation will permit

new zoning to be applied to the site that maximizes opportunities within the Deer Valley Major Employment Center.

3. The Mixed Use (Commercial/Commerce Park/Business Park/Residential 5-10/Residential 15+ dwelling units per acre) land use designation will establish compatible uses in close proximity to the Deer Valley Airport and surrounding properties.

This publication can be made available in alternate format upon request. Please contact Tamra Ingersoll at (602) 534-6648, TTY use 7-1-1.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 120

Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-3-21-1 - Approximately 825 Feet South of the Southwest Corner of 23rd Avenue and Pinnacle Peak Road (Ordinance G-6862)

Request to hold a public hearing on the request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-3-21-1 and rezone the site from RE-43 DVAO (One-Family Residence District, Deer Valley Airport Overlay) to R-3 DVAO (Multifamily Residence District, Deer Valley Airport Overlay) for multifamily residential. This is a companion case to GPA-DV-1-21-1.

Summary

Current Zoning: RE-43 DVAO
Proposed Zoning: R-3 DVAO
Acreage: 20.72 acres
Proposed Use: Multifamily residential

Owner: DV 20 AC Limited Liability Partnership
Applicant: George Pasquel III, Withey Morris, PLC
Representative: George Pasquel III, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Deer Valley Village Planning Committee heard the case on April 8, 2021 and recommended approval, per the staff recommendation, by a 10-1 vote.
PC Action: The Planning Commission heard the case on May 6, 2021 and recommended approval, per the Deer Valley Village Planning Committee recommendation and staff memo, with an additional stipulation by a 9-0 vote.

Location

Approximately 825 feet south of the southwest corner of 23rd Avenue and Pinnacle Peak Road
Council District: 1
Parcel Addresses: 2321 W. Pinnacle Peak Road, and 22635 and 23201 N. Black Canyon Highway

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-3-21-1) FROM RE-43 DVAO (ONE-FAMILY RESIDENCE DISTRICT, DEER VALLEY AIRPORT OVERLAY) TO R-3 DVAO (MULTIFAMILY RESIDENCE DISTRICT, DEER VALLEY AIRPORT OVERLAY).

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

SECTION 1. The zoning of a 20.72-acre site located approximately 825 feet south of the southwest corner of 23rd Avenue and Pinnacle Peak Road in a portion of Section 13, Township 4 North, Range 2 East, as described more specifically in Exhibit “A”, is hereby changed from “RE-43 DVAO” (One-Family Residence District, Deer Valley Airport Overlay) to “R-3 DVAO” (Multifamily Residence District, 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”.

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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 maximum building height shall be 30 feet.

2. The development shall be limited to 297 units.

3. The development shall be in general conformance with the elevations date stamped March 24, 2021, as modified by the following stipulations and approved by the Planning and Development Department.

4. An enhanced landscaped entry shall be provided at the main entryway into the development off of 23rd Avenue with a minimum 300 square feet of landscaped area on each side of the entrance. The landscaped entries shall be planted and maintained with a variety of at least three different plant materials, as approved by the Planning and Development Department.

5. A minimum landscape setback of 25 feet shall be required along the west property line along the Interstate 17 (I-17) frontage road and shall include minimum 3-inch caliper large canopy shade trees planted a minimum of 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

6. There shall be a minimum of four private open space amenity areas, three of which shall be centrally located. A minimum of 6 percent of the area shall be preserved as open space exclusive of landscape setbacks. Each area shall provide, at a minimum, one of the following amenity elements or other similar elements, as approved by the Planning and Development Department:

    - Swimming Pool
    - Fire Pit
    - Pavilion or Ramada
    - Dog park

7. The perimeter pedestrian pathway shall be provided as depicted on the site plan date stamped March 24, 2021 and shall reflect a common landscaping theme and include a minimum of three-inch caliper shade trees placed 20 feet on center exclusive of driveway/roadway crossings, as approved by the Planning and Development Department.

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8. 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.

9. Clearly defined, accessible pedestrian pathways shall be provided to connect building entrances, public sidewalks, and bus stops, using the most direct route for pedestrians, as approved by the Planning and Development Department.

10. Perimeter walls shall incorporate stone veneer, stonework, integral color CMU block, split face block or faux stone, as approved by the Planning and Development Department.

11. A minimum 5-foot-wide detached sidewalk shall be provided along 23rd Avenue with a minimum 13-foot-wide landscape area located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.

    a. Minimum 3-inch caliper large canopy, single-trunk, shade trees placed a minimum of 25 feet on center or in equivalent groupings to provide a minimum of 75 percent shade on the adjacent sidewalk.

    b. Drought tolerant shrubs and vegetative groundcovers with a maximum mature height of 24 inches to provide a minimum of 75% live coverage at maturity.

12. Structural or vegetative shade shall be provided for every 8 parking spaces, as approved by the Planning and Development Department.

13. The developer shall provide secured bicycle parking provide parking per Section 1307 of the City of Phoenix Zoning Ordinance. In addition, a minimum of eight inverted U-bicycle racks shall be provided for guests located near the club house/leasing office and installed per the requirements of Section 1307.H. of the Zoning Ordinance, as approved by the Planning and Development Department.

14. The developer shall dedicate minimum 50 feet of right-of-way and construct the west half of 23rd Avenue for the full limits of the project, per Cross Section D standards identified on the City of Phoenix Street Classification Map, as approved by the Planning and Development Department.

15. In compliance with the Complete Streets Ordinance, the developer shall submit a signing and striping plan to include an extension of the bike lane for the full limits of the project frontage.

16. A Red Border Letter shall be processed for this development, as approved by the Street Transportation Department.

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17. 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.

18. The developer must file FAA Form 7460 and provide City FAA's no hazard determination prior to construction permit approval, as per plans approved by the Planning and Development Department.

19. 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.

20. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Deer Valley Airport (DVT) 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.

21. Prior to issuance of a final certificate of occupancy, the developer must install a sign (approximately 8 inches by 11 inches in size) within the development's sales/leasing office that is visible to prospective renters or purchases which discloses the proximity of the Deer Valley Airport and increased frequency of overflight and related aircraft noise, as approved by the Aviation Department.

22. The indoor noise levels shall not exceed a decibel day night-level (DNL) of 45 decibels and that along with the building plans submitted for Phoenix Building Construction Code compliance review to the Planning and Development Department there shall be a sealed and signed analysis by an engineer licensed in Arizona with a proficiency in residential sound mitigation or noise control. The engineer shall note in the analysis that the building design is capable of achieving the required Noise Level Reduction.

23. Noise mitigation walls shall be provided along the western boundary of the development. The wall height shall be determined through a noise analysis prepared and sealed by a registered professional engineer. The walls shall contain no openings unless they are above the minimum height required for adequate noise mitigation or for drainage. The walls shall wrap around to the north and south property lines and shall continue for at least 90 feet, as approved by the Planning and Development Department. A wall detail sealed by a registered professional engineer, demonstrating that the walls will reduce noise to 65 Decibels or lower shall be submitted prior to preliminary site plan approval.

24. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the

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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, determines 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 June, 2021.

_____
MAYOR

ATTEST:

_____City Clerk

APPROVED AS TO FORM:

_____City Attorney

REVIEWED BY:

_____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-3-21-1

THAT PORTION OF THE NORTH HALF OF THE NORTH HALF OF THE NORTHWEST QUARTER (N½ N½ NW ¼) LYING EAST OF THE MEDIAN CENTERLINE OF BLACK CANYON HIGHWAY, INTERSTATE 17. SAID CENTERLINE BEING DESCRIBED AS FOLLOWS: FROM A POINT ON THE NORTH LINE OF SAID SECTION, 1715.05 FEET WESTERLY OF THE NORTH QUARTER CORNER THEREOF, PROCEED SOUTH 9° 57' 34" EAST TO A POINT OF TERMINATION ON THE SOUTH LINE OF SAID NORTH HALF OF THE NORTH HALF OF THE NORTHWEST QUARTER (N½ N½ NW ¼) OF SECTION 13, TOWNSHIP 4 NORTH, RANGE 2 EAST, GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

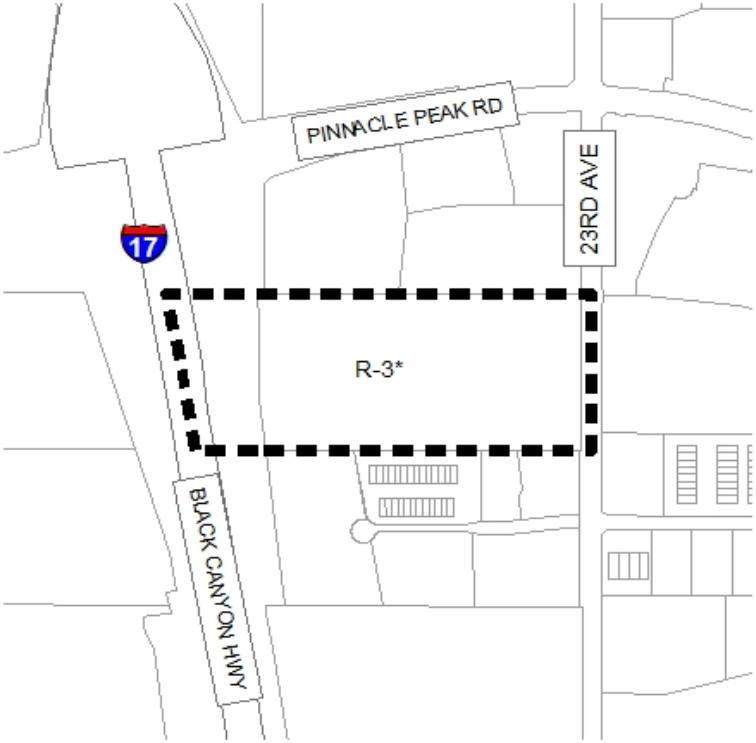
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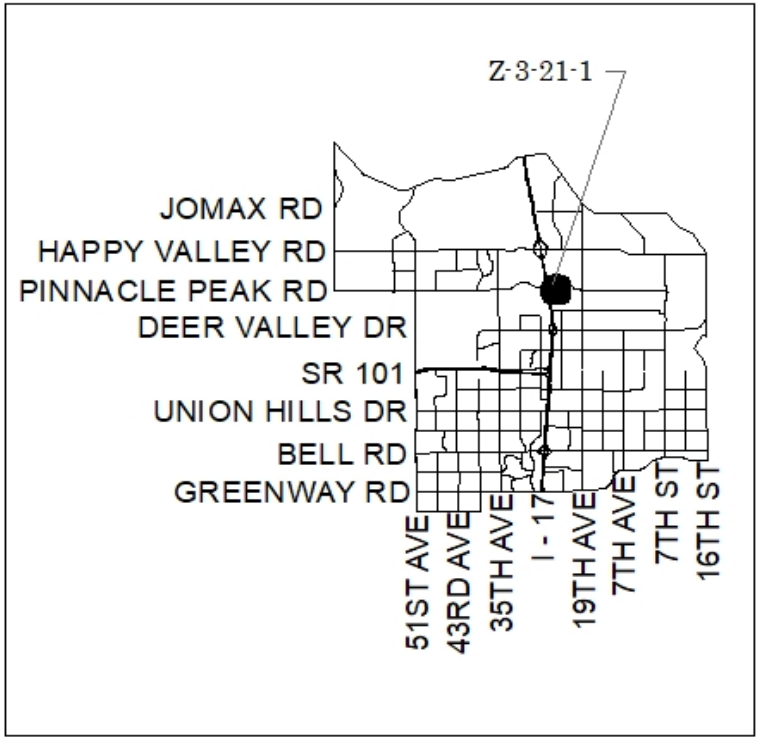
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - -

Zoning Case Number: Z-3-21-1
Zoning Overlay: Deer Valley Airport Overlay District
Planning Village: Deer Valley





NOT TO SCALE

N

Drawn Date: 5/11/2021

\\one\pdd\Shared\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\SuppMaps_OrdMaps\2021 Ord\6-2-21\Z-3-21-1.mxd

Attachment B

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-3-21-1
April 6, 2021

Deer Valley Village Planning Committee Meeting Date:	April 8, 2021
Planning Commission Hearing Date:	May 6, 2021
Request From:	RE-43 DVAO (One-family Residence District, Deer Valley Airport Overlay) (20.72 acres)
Request To:	R-3 DVAO (Multifamily Residence District, Deer Valley Airport Overlay) (20.72 acres)
Proposed Use:	Multifamily residential
Location:	Approximately 825 feet south of the southwest corner of 23rd Avenue and Pinnacle Peak Road
Owner:	DV 20 AC Limited Liability Partnership
Applicant:	George Pasquel III, Withey Morris, PLC
Representative:	George Pasquel III, Withey Morris, PLC
Staff Recommendation:	Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation		Current: Industrial Proposed (GPA-DV-1-21-1): Mixed Use (Commercial / Commerce Park/Business Park / Residential 5-10 / Residential 15+ dwelling units per acre) (44 acres)	
Street Map Classification	Black Canyon Highway	Existing Freeway	Approximately 285 to 375 feet east half, including frontage roads
	23rd Avenue	Collector	40-foot west half street

CELEBRATE OUR DIVERSE COMMUNITITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY AND CHARACTER; LAND USE PRINCIPLE: New development and expansion or redevelopment of existing development in or near residential areas should be compatible with existing uses and consistent with adopted plans.

As stipulated, the proposed development is compatible with existing nearby uses by employing compatibility measures such as increased setbacks and enhanced landscape standards.

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY AND CHARACTER; DESIGN PRINCIPLE: Protect and enhance the character of each neighborhood and its various housing lifestyles through new development that is compatible in scale, design, and appearance.

The proposal promotes the expansion of residential land uses in the area. As stipulated, the proposed development is consistent with the scale, design, and zoning which has been approved in the surrounding area.

CONNECT PEOPLE & 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 subject site is located within the boundaries of the Phoenix Designated Employment Center of Deer Valley and located in close proximity to the Black Canyon Highway where higher density and intensity uses are encouraged.

BUILD THE SUSTAINANLE DESERT CITY CORE VALUE; TREES AND SHADE; DESIGN PRINCIPLES*: *Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.

The rezoning case proposes enhanced landscaping around the development and internal landscaped areas. A detached sidewalk along 23rd Avenue includes landscape areas with shade trees on both sides of the sidewalk to provide thermal comfort for pedestrians. The proposal also requires that a minimum of 56,943 square feet of the site reserved as open space and a perimeter walking path to include a minimum of three-inch caliper shade trees placed 20 feet on center.

Applicable Plans, Overlays, and Initiatives
Deer Valley Major Employment Center – See Background Item No. 6 **Housing Phoenix Plan** – See Background Item No. 7 **Tree and Shade Master Plan** – 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	Vacant	RE-43 (One-Family Residence)
North	Vacant and Commercial Office	A-1 M-R (Light Industrial District, Mid-Rise District)
South	Vacant and Commercial Office/Warehouse	A-1 (Light Industrial District) and Ind Pk
East	Warehouse and Commercial Office	A-1 (Light Industrial District)
West	Black Canyon Freeway and vacant land (across the Black Canyon Freeway)	C-1 (Neighborhood Retail)

R-3 Multifamily Residence District (Planned Residential Development Option)		
Standards	**Requirements**	**Provisions on the Proposed Site Plan**
Gross Acreage		20.72 acres
Maximum Total Numbers of Units	315; up to 360 with bonus	297 units
Maximum Dwelling Unit Density (units/gross acre)	15.23; 17.40 with bonus	Met – approximately 14.33
Maximum Lot Coverage	45%	Met – 29%
Perimeter Standards (Building Setbacks)	Minimum 20 feet adjacent to public streets	Met – 20 feet (adjacent to 23rd Avenue)

	Minimum 15 feet adjacent to property lines	Met – 25 feet (adjacent to I-17 frontage road) Not Met – 10 feet*
Perimeter Landscape Setbacks	Minimum 20 feet adjacent to public streets Minimum 5 feet adjacent to property lines	Met – 20 feet (adjacent to 23rd Avenue) Met – 25 feet (adjacent to I-17 frontage road) Met – 10 feet
Maximum Building Height	2 stories or 30 feet *There shall be a 15-foot maximum height within 10 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.	Met - 2 stories and 27 feet
Common Areas	Minimum 5% of gross area	Met – approximately 6.65%
Parking Standards	610 spaces total	Met – 671 spaces

*Variance or site plan adjustment required

Background / Issues / Analysis

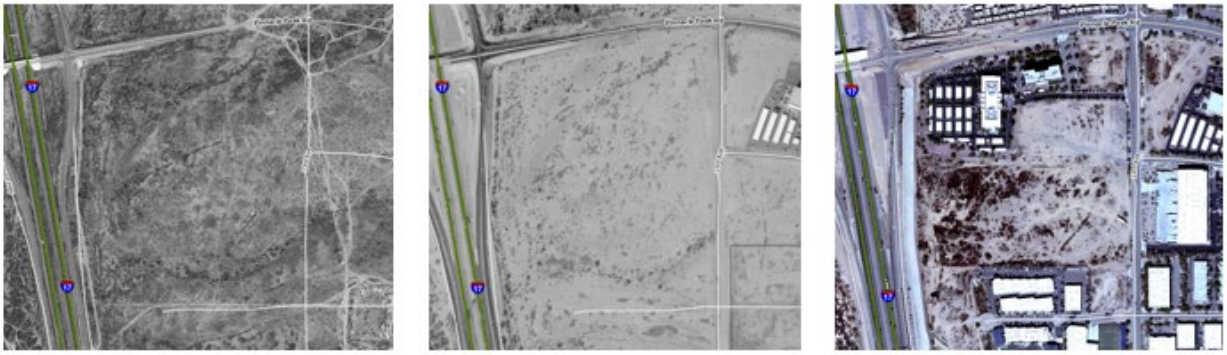
1. SUBJECT SITE

This request is to rezone a 20.72-acre site, located approximately 825 feet south of the southwest corner of 23rd Avenue and Pinnacle Peak Road from RE-43 (One-Family Residence) to R-3 (Multifamily Residence District) to allow multifamily residential and commercial.

The subject site was annexed into the City of Phoenix from Maricopa County in 1972. At the time of annexation, the area was comprised of raw, undeveloped desert. The area was slow to develop. Around 2002 industrial and commerce park uses started developing in the area and by 2019 most of the area had developed as is seen today with commercial office, a hotel, commerce park and industrial uses. Residential uses

are present to the north of the subject site, across Pinnacle Peak Road. The site is comprised of one large vacant lot and has never been developed.

Access to the site is limited with the only access from 23rd Avenue. The Black Canyon Freeway frontage road is located west of the site, but access is not feasible due to a large drainage basin abutting the site to the west.

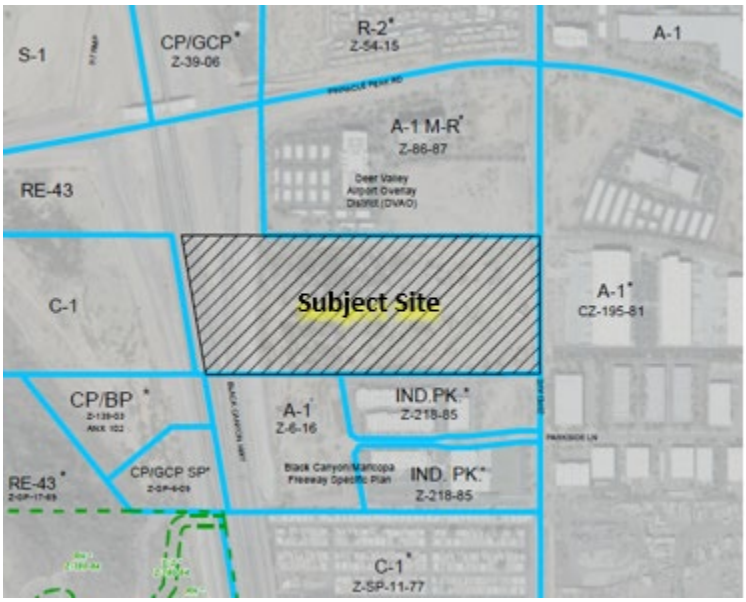


Maricopa County Historic Aerials, Source: Maricopa County

2. ZONING AND LAND USE

<u>Subject Site:</u>
The subject site is zoned RE-43 (One-Family Residence) and is undeveloped on 20.72 acres.

<u>North:</u>
The parcels abutting the subject site on the north are zoned A-1, approved through Rezoning Case No. Z-86-87. The parcel to the northwest developed as commercial office in 2007. The parcel abutting to the north is currently vacant.



Surrounding Zoning, Source: Planning and Development Department

<u>South:</u>
The west portion of the land to the south and west of the subject site is zoned A-1 (Light Industrial District), approved through Rezoning Case No. Z-6-16 and is currently vacant. The east portion of the land to the south of the subject site is

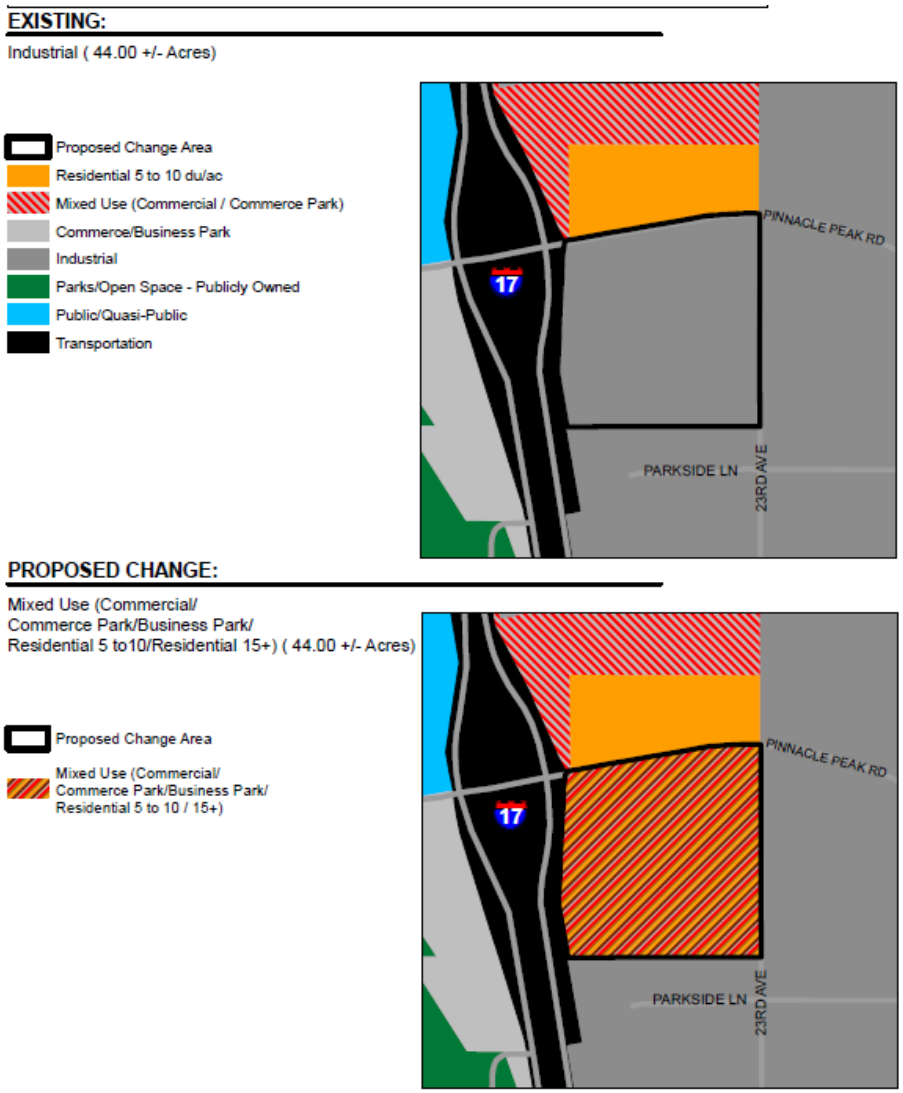
zoned IND. PK., vacant adjacent to 23rd Avenue approved through Rezoning Case No. Z-218-85 and developed as commercial office suites in 2007.

East:
The parcels to the east of the site, across 23rd Avenue, are zoned A-1, approved through Rezoning Case No. Z-195-81 and developed with a warehouse in 2016 and a commercial office to the south of the warehouse site in 2009.
West:
Immediately west of the subject site is the Black Canyon Freeway and its frontage roads. Beyond the Black Canyon Freeway (approximately 600 feet) is a vacant lot zoned C-1, approved through Annexation No. 102.

3. GENERAL PLAN

Subject Site:
The property's current Industrial General Plan Land Use Map designation only supports industrial land uses on the site. A companion General Plan Amendment request (GPA-DV-1-21-1) proposes a Mixed Use land use designation of Commercial / Commerce Park/Business Park / Residential 5-10 dwelling units per acre / Residential 15+ dwelling units per acre. This Mixed Use designation will allow commercial, commerce park and residential land uses the flexibility to locate on any portion of the site and the four parcels to the north, south of Pinnacle Peak Road.

General Plan Land Use Map, Source: City of Phoenix Development and Development Department



<u>North:</u>
The General Plan Land Use Map designation for the properties to the north are Industrial and are part of the companion GPA request, GPA-DV-1-21-1. Further north, across Pinnacle peak Road, the General Plan Land Use designation is Residential 5 to 10 dwelling units per acre.

<u>East:</u>
The General Plan Land Use Map designation for the properties to the east, across 23rd Avenue, are Industrial.

<u>South:</u>
The General Plan Land Use Map designation for the properties to the south are Industrial.

<u>West (Across Black Canyon Freeway).</u>
The General Plan Land Use Map designation for the areas immediately west of the site across the Black Canyon Freeway is Commerce/Business Park and Parks/Open Space-Public.

4. SITE PLAN

The conceptual site plan depicts a single-family residential townhome development with attached and detached units. The site plan indicates a single main point of entry from 23rd Avenue and a secondary ingress/egress for emergency services located on the northeast corner of the site also along 23rd Avenue. The main point of entry along 23rd Avenue will include enhanced landscaping as recommended in Stipulation No. 4.

Due to its location immediately adjacent to the Black Canyon Freeway, staff is recommending a series of stipulations to enhance the perimeter treatment of the site to mitigate any potential impact from the freeway.

To achieve consistency with other developments in the surrounding area staff is requesting several enhancements. Enhanced separation between the subject site and the Black Canyon Freeway frontage road will help to mitigate traffic noise. A noise mitigation wall and enhanced landscaping is recommended along the western property boundary. These are addressed in Stipulation Nos. 5 and 23.

The proposal for 297 units limits the number of dwellings allowed under the R-3 zoning district, which is consistent with other developments in the area. To ensure the site develops with no more than 297 units staff is recommending Stipulation No. 2.

The conceptual site plan includes three centrally located open space areas containing a minimum of one amenity in each area. Amenities in the open space areas will help to create a sense of community. A dog park and perimeter pedestrian pathway are also proposed on the conceptual site plan. Staff is recommending Stipulation Nos. 6 and 7 to ensure the site develops as proposed.

For visual continuity with the surrounding developments in the area staff recommends design standards for the perimeter walls as previously stipulated in the area. This is addressed in Stipulation No. 10. The conceptual site plan is attached below.

5. ELEVATIONS

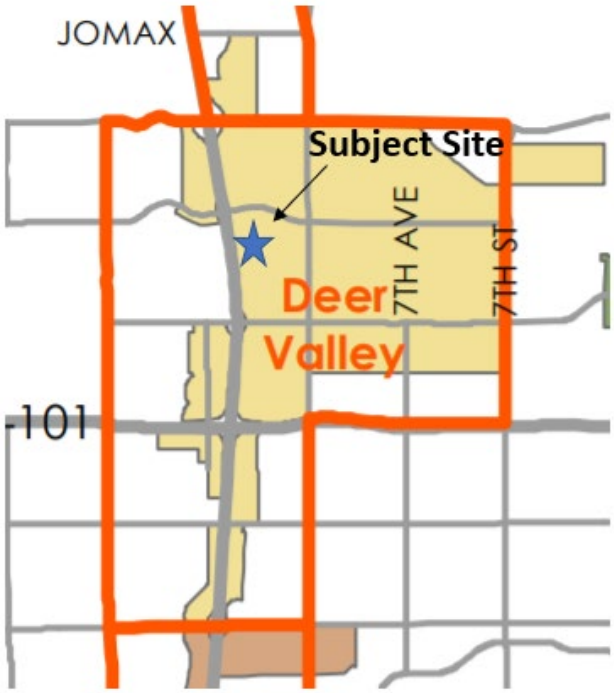
The proposal includes conceptual elevations that illustrate variations in roofline, window shapes and sizes, architectural embellishments and textural changes.
The building height is capped at two stories and 30 feet. To ensure the elevations include architectural details and the proposed building height, staff is recommending Stipulation Nos. 1 and 3.



Conceptual Elevations, Source: Synectic Design

6. **DEER VALLEY MAJOR EMPLOYMENT CENTER**

The subject site is located within the Deer Valley Major Employment Center. The proposal adds housing options within the employment center.



Employment Center Map: Source: City of Phoenix Planning and Development Department

7. **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 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.

8. **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 and adjacent to the development. Staff is recommending stipulations for a shaded sidewalk along 23rd Avenue, in addition to enhanced tree and landscape areas and planting standards along the proposed pedestrian pathway circling the site, in and around the parking areas and along the west property line. These are addressed in Stipulation Nos. 5, 7, 11 and 12.

9. **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. This is addressed in Stipulation No. 13.

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 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 proposed conceptual site plan does not show recycling facilities.

COMMUNITY INPUT SUMMARY

11. At the time the staff report was written three letters of support had been received.

INTERDEPARTMENTAL COMMENTS

12. The Street Transportation Department commented that the developer shall construct all roadway infrastructure to code standards, submit a signing and striping plan to include an extension of the bike lane, and process a Red Border letter with ADOT. These are addressed in Stipulation Nos. 14, 15, 16 and 17.

13. The Pedestrian Safety Coordinator, from the Traffic Services Division of the Street Transportation Department, has required that pedestrian pathways that cross drive isles be constructed with decorative pavers, stamped or colored concrete or another material that contrasts with the drive isle and parking surfaces. Additionally, they have required that clearly defined accessible pedestrian pathways be provided to connect building entrances, public

sidewalks and bus stops. These are addressed in Stipulation Nos. 8 and 9.

14. The Aviation Department commented the site is located within the Phoenix Deer Valley Airport (DVT) traffic pattern airspace. The developer must file FAA Form 7460, record an avigation easement over the site, record documents that disclose the existence and operational characteristics of the airport to future owners or tenants, install signage within the developments sales/leasing office regarding the airport and overflights, and ensure indoor noise levels do not exceed a decibel day night-level of 45 decibels. These are addressed in Stipulation Nos. 18 through 22.

15. The Floodplain Management Division of the Public Works Department commented It has been determined that this parcel is not in a Special Flood Hazard Area (SFHA).

16. The City of Phoenix Fire Department does not anticipate any problems with this case. However, they noted that there appears to be decorative pavers on the emergency service access road on the west side. All emergency service access roads will need to meet the specifications in Section 503.2 (2018 PFC). They also noted that the site and/or buildings shall comply with the Phoenix Fire Code and requested additional detail be provided on future site plan submittals.

17. The Water Services Department indicated that the site is surrounded with existing water and sewer mains that can potentially serve the development.

OTHER

18. 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. These are addressed in Stipulation Nos. 24, 25 and 26.

19. 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 request is not consistent with the General Plan Land Use Map designation of Industrial but will be consistent if the companion case (GPA-DV-1-20-1) is approved.

2. As stipulated, the proposed development is compatible with the existing zoning and uses in the surrounding area.

3. The proposal will redevelop an underutilized property and provide a high quality multifamily residential development which will help alleviate the housing shortage in Phoenix.

Stipulations

1. The maximum building height shall be 30 feet.

2. The development shall be limited to 297 units.

3. The development shall be in general conformance with the elevations date stamped March 24, 2021, as modified by the following stipulations and approved by the Planning and Development Department.

4. An enhanced landscaped entry shall be provided at the main entryway into the development off of 23rd Avenue with a minimum 300 square feet of landscaped area on each side of the entrance. The landscaped entries shall be planted and maintained with a variety of at least three different plant materials, as approved by the Planning and Development Department.

5. A minimum landscape setback of 25 feet shall be required along the west property line along the Interstate 17 (I-17) frontage road and shall include minimum 3-inch caliper large canopy shade trees planted a minimum of 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

6. There shall be a minimum of four private open space amenity areas, three of which shall be centrally located. A minimum of 6 percent of the area shall be preserved as open space exclusive of landscape setbacks. Each area shall provide, at a minimum, one of the following amenity elements or other similar elements, as approved by the Planning and Development Department:

    - Swimming Pool

- Fire Pit
- Pavilion or Ramada
- Dog park

7. The perimeter pedestrian pathway shall be provided as depicted on the site plan date stamped March 24, 2021 and shall reflect a common landscaping theme and include a minimum of three-inch caliper shade trees placed 20 feet on center exclusive of driveway/roadway crossings, as approved by the Planning and Development Department.

8. 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.

9. Clearly defined, accessible pedestrian pathways shall be provided to connect building entrances, public sidewalks, and bus stops, using the most direct route for pedestrians, as approved by the Planning and Development Department.

10. Perimeter walls shall incorporate stone veneer, stonework, integral color CMU block, split face block or faux stone, as approved by the Planning and Development Department.

11. A minimum 5-foot-wide detached sidewalk shall be provided along 23rd Avenue with a minimum 13-foot-wide landscape area located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.

    a. Minimum 3-inch caliper large canopy, single-trunk, shade trees placed a minimum of 25 feet on center or in equivalent groupings to provide a minimum of 75 percent shade on the adjacent sidewalk.

    b. Drought tolerant shrubs and vegetative groundcovers with a maximum mature height of 24 inches to provide a minimum of 75% live coverage at maturity.

12. Structural or vegetative shade shall be provided for every 8 parking spaces, as approved by the Planning and Development Department.

13. The developer shall provide secured bicycle parking provide parking per Section 1307 of the City of Phoenix Zoning Ordinance. In addition, a minimum of eight

inverted U-bicycle racks shall be provided for guests located near the club house/leasing office and installed per the requirements of Section 1307.H of the Zoning Ordinance, as approved by the Planning and Development Department.

14. The developer shall dedicate minimum 50-feet of right-of-way and construct the west half of 23rd Avenue for the full limits of the project, per Cross Section D standards identified on the City of Phoenix Street Classification Map, as approved by the Planning and Development Department.

15. In compliance with the Complete Streets Ordinance, the developer shall submit a signing and striping plan to include an extension of the bike lane for the full limits of the project frontage.

16. A Red Border Letter shall be processed for this development, as approved by the Street Transportation Department.

17. 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.

18. The developer must file FAA Form 7460 and provide City FAA's no hazard determination prior to construction permit approval, as per plans approved by the Planning and Development Department.

19. 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.

20. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Deer Valley Airport (DVT) 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.

21. Prior to issuance of a final certificate of occupancy, the developer must install a sign (approximately 8 inches by 11 inches in size) within the development's sales/leasing office that is visible to prospective renters or purchases which discloses the proximity of the Deer Valley Airport and increased frequency of overflight and related aircraft noise, as approved by the Aviation Department.

22. The indoor noise levels shall not exceed a decibel day night-level (DNL) of 45 decibels and that along with the building plans submitted for Phoenix Building

Construction Code compliance review to the Planning and Development Department there shall be a sealed and signed analysis by an engineer licensed in Arizona with a proficiency in residential sound mitigation or noise control. The engineer shall note in the analysis that the building design is capable of achieving the required Noise Level Reduction.

23. Noise mitigation walls shall be provided along the western boundary of the development. The wall height shall be determined through a noise analysis prepared and sealed by a registered professional engineer. The walls shall contain no openings unless they are above the minimum height required for adequate noise mitigation or for drainage. The walls shall wrap around to the north and south property lines and shall continue for at least 120 feet, as approved by the Planning and Development Department. A wall detail sealed by a registered professional engineer, demonstrating that the walls will reduce noise to 65 Decibels or lower shall be submitted prior to preliminary site plan approval.

24. 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.

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, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

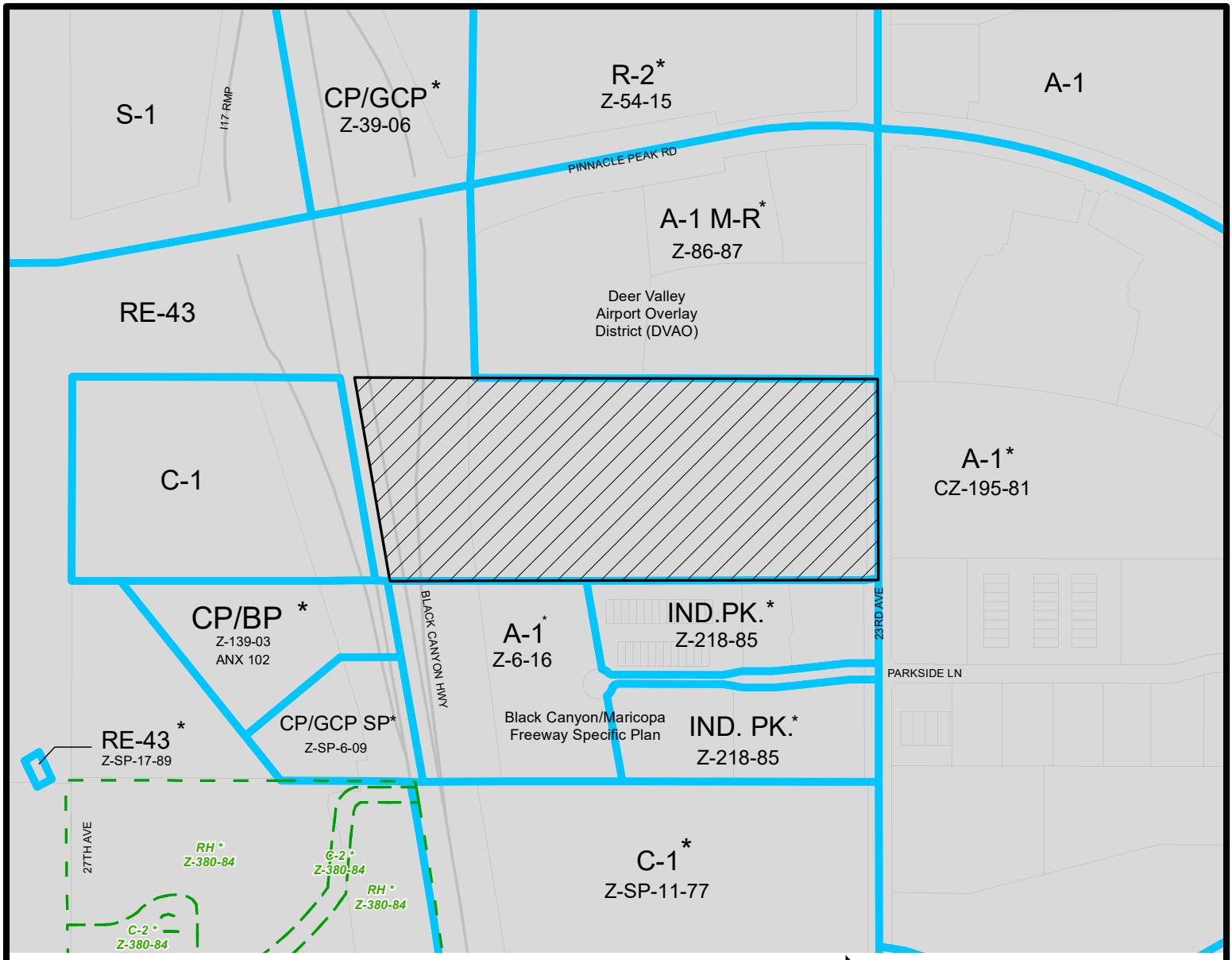
26. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

Writer
David Simmons
April 6, 2021

Team Leader
Samantha Keating

Exhibits
Zoning sketch map
Aerial sketch map
Community Correspondence (3 pages)
Site plan date stamped March 24, 2021 (1 page)

Elevations date stamped March 24, 2021 (4 pages)

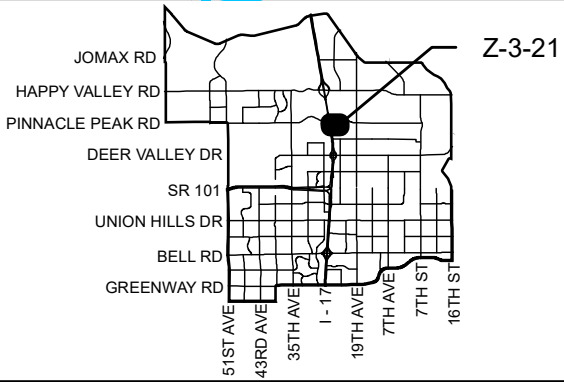


Miles

0.09 0.045 0 0.09

DEER VALLEY VILLAGE

CITY COUNCIL DISTRICT: 1



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME:	George Pasquel III, Withey Morris, PLC
APPLICATION NO.	Z-3-21
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.	20.72 Acres
DATE:	2/19/2021
REVISION DATES:	3/11/2021
AERIAL PHOTO & QUARTER SEC. NO.	QS 44-23
ZONING MAP	O-7

REQUESTED CHANGE:

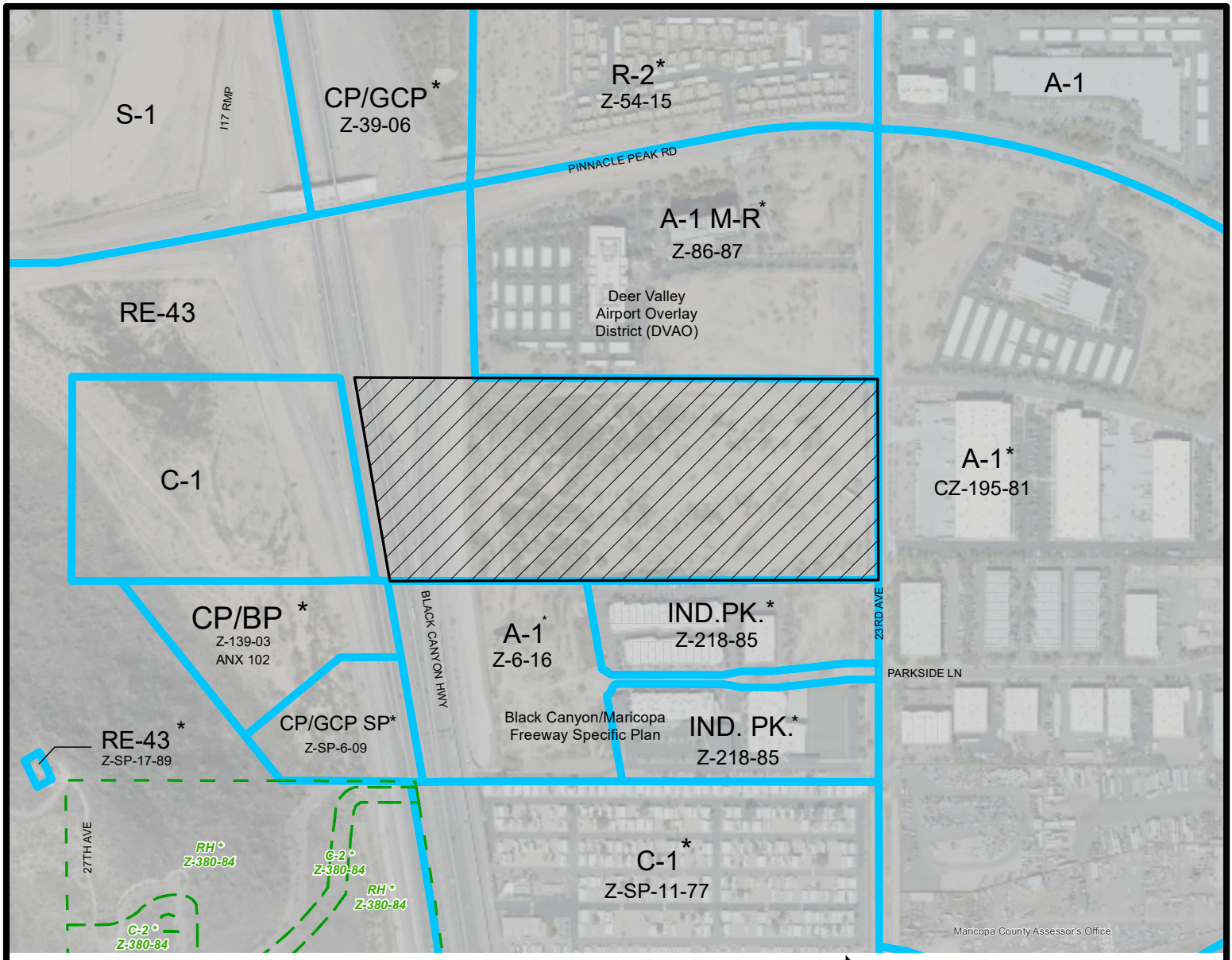
FROM: RE-43 DVAO (20.72 a.c.)

TO: R-3 DVAO (20.72 a.c.)

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
RE-43 DVAO	15	N/A
R-3 DVAO	300	360

* **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-3-21.mxd

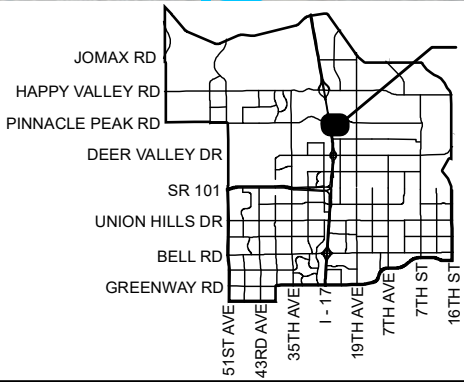


Miles

0.09 0.045 0 0.09

DEER VALLEY VILLAGE

CITY COUNCIL DISTRICT: 1



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME: George Pasquel III, Withey Morris, PLC	**REQUESTED CHANGE:**
APPLICATION NO. Z-3-21	FROM: RE-43 DVAO (20.72 a.c.)
DATE: 2/19/2021 / REVISION DATES: 3/11/2021	TO: R-3 DVAO (20.72 a.c.)
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 20.72 Acres	AERIAL PHOTO & QUARTER SEC. NO. QS 44-23 / ZONING MAP O-7

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
RE-43 DVAO	15	N/A
R-3 DVAO	300	360

* **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-3-21.mxd

7500 North Dobson Road, Suite 151 Scottsdale, AZ 85256
P: (480) 302-6600 | F: (480) 302-6606
altergroup.com

October 21, 2020

Phoenix Planning & Development
City of Phoenix
200 W Washington St
Phoenix, AZ 85003

Re: **Request for comments around of Mack Real Estate Development Project at 22635 N. Black Canyon Hwy, Phoenix, AZ 85027**

To Whom It May Concern:

As a stakeholder in the Deer Valley Village of Phoenix, we would like to advise the City of Phoenix that we support the changes proposed by Mack Real Estate Development associated with their residential development plans to be located along the west side of N 23rd Ave and South of Pinnacle Peak Road.

Mack Real Estate Development has provided a project overview to us as they prepare to file their entitlement applications for the project. We sincerely appreciate their efforts to include us in their dialogue.

Our understanding is that the project will consist rental dwellings and change the land around our building from industrial to a mixed-use zoning. Based on this understanding, we support the following requested entitlements and do not object to the City approving the zoning and project requests:

- General Plan Amendment
- Re-Zone
- Site Plan Review

Sincerely,

Kent Moe

Kent S. Moe
Sr. Vice President, Development

cc: Mr. Jordan Feld, City Planning Depa1tment
Ms. Thelda Williams, Council District Office #1

ATI DISASTER RECOVERY SERVICES

September 10, 2020

Phoenix Planning & Development
City of Phoenix
200 W Washington St
Phoenix, AZ 85003

Re: Support for Mack Real Estate Development Project at 22635 N. Black Canyon Hwy, Phoenix, AZ 85027

To Whom It May Concern:

As a stakeholder in the Deer Valley Village of Phoenix, we would like to encourage the City of Phoenix to approve the proposed residential development to be located along the west side of N 23rd Ave and South of Pinnacle Peak Road. This 20-acre site is currently undeveloped land, and the development being proposed by Mack Real Estate Development will be a welcome addition to the rapidly growing Deer Valley village.

The project proponent, Mack Real Estate Development, has discussed the project opportunity with us as they prepare to file their entitlement applications for their project. We sincerely appreciate their efforts to include us in their dialogue.

Our understanding is that the project will consist of 297 rental dwellings in the form of one- and two-story attached and detached apartment buildings, along w/ a comprehensive offering of landscaped open space and amenity areas.

Because this project is important to our neighborhood, we support the following requested entitlements:

- General Plan Amendment
- Re-Zone
- Site Plan Review

We encourage the City to approve the above-mentioned zoning requests.

Sincerely,

The Moore Family and ATI

cc: Mr. Jordan Feld, City Planning Department
Ms. Thelda Williams, Council District Office #1

ATI PHOENIX
23175 N 23RD AVENUE | PHOENIX, AZ 85027 | WWW.ATIRESTORATION.COM
OFFICE: 623-434-9445 | FAX: 623-434-9449

2355 W. Pinnacle Peak Rd. Phoenix, AZ 85027
1.844.OneAZcu | OneAZcu.com

October 19, 2020

Phoenix Planning & Development
City of Phoenix
200 W Washington St
Phoenix, AZ 85003

Re: Request for comments around of Mack Real Estate Development Project at 22635 N. Black Canyon Hwy, Phoenix, AZ 85027

To Whom It May Concern:

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- General Plan Amendment
- Re-Zone
- Site Plan Review

Sincerely,

Mike Boden
Executive Vice-President, Chief Financial and Operating Officer
OneAZ Credit Union
2355 W Pinnacle Peak Rd.
Phoenix, AZ 85027

cc: Mr. Jordan Feld, City Planning Department
Ms. Thelda Williams, Council District Office #1

CITY OF PHOENIX

MAR 24 2021

Planning & Development
Department

SITE DATA

SITE BASICS:

PROJECT ADDRESS:	22635 N. BLACK CANYON HWY PHOENIX, AZ 85027
ASSESSORS PARCEL #:	209-03-009B
SITE AREA:	855,136 S.F., 19.63 ACRES
CURRENT ZONING:	RE-43
PROPOSED ZONING:	R-3
LOT COVERAGE ALLOWED:	50%
LOT COVERAGE:	256,004 / 855,136 = 29%
PERIMETER STANDARDS:	20' ADJ. TO PUBLIC STREET 10' ADJ. TO PROPERTY LINE
SETBACKS: FRONT	10'
REQUIRED COMMON AREA:	5% GROSS AREA = 42,756 SF
PROVIDED COMMON AREA:	6.65% (56,943 SF)
MAX HEIGHT:	40' FOR FIRST 150' (3 STORY) 48' MAX (4 STORY MAX)
MAX DENSITY:	30.45 DU/AC
PROPOSED DENSITY:	15.12 DU/AC

UNIT DATA:

UNIT MIX:	
1 BEDROOM =	88 UNITS (29.4%)
2 BEDROOM =	150 UNITS (50.6%)
3 BEDROOM =	59 UNITS (20%)
TOTAL =	297 UNITS

PARKING DATA:

REQUIRED PARKING:	+-610 SPACES TOTAL
1 BEDROOM (88X1.5)	132 SPACES
2 BEDROOM (150X2)	300 SPACES
3 BEDROOM (59X2)	118 SPACES
GUEST (297X.2)	59.4 SPACES
PROVIDED PARKING:	
GARAGE:	140 SPACES
COVERED:	323 SPACES
SURFACE:	208 SPACES
TOTAL =	671 SPACES

SITE LEGEND

A = 1 BEDROOM, 1 STORY	750SF
B = 2 BEDROOM, 1 STORY	1147SF
C = 3 BEDROOM, 2 STORY	1300SF
D = CARRIAGE 2 STORY	1600SF
= BUILDING ENTRY	



1 SITE PLAN - PRESENTATION
1" = 50'-0"

0 50 100

SYNECTIC DESIGN
1111 West University Drive, Suite 104, Tempe, AZ 85281
t 480.948.9766
f 480.948.9211

PINNACLE PEAK & 23RD AVENUE
MULTI-FAMILY DEVELOPMENT

22635 N. BLACK CANYON HWY
PHOENIX, AZ 85027

REGISTERED ARCHITECT 35329 LANCE D. BAKER EXP. 12/31/2021

REVISIONS

Phase: SD
Drawn By: SB
Reviewed By: LDB
SDI Project No: 3987
Date: 01/14/2021
Sheet:

G2.0
PRESENTATION SITE PLAN

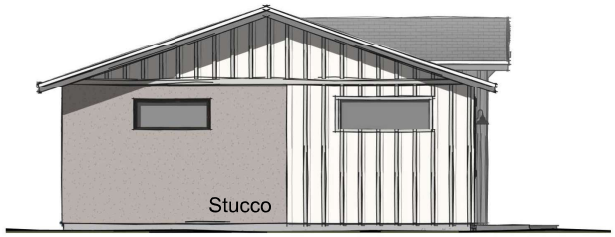
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CITY OF PHOENIX

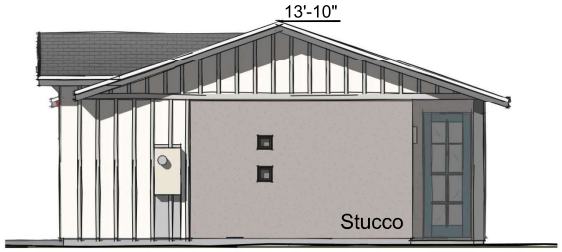
MAR 24 2021

Planning & Development
Department

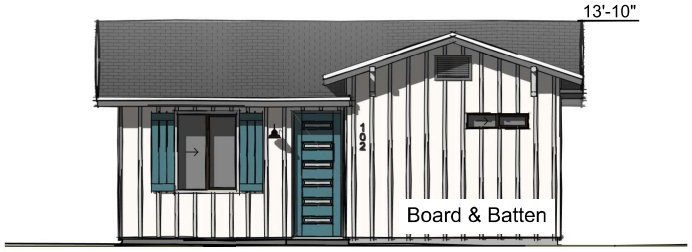
1111 West
University Drive
Suite 104,
Tempe,
AZ 85281
t:480.948.9766
f:480.948.9211



LEFT ELEVATION
N.T.S.



RIGHT ELEVATION
N.T.S.



FRONT ELEVATION
N.T.S.



REAR ELEVATION
N.T.S.

Color Scheme 1

Board & batten
DE6205 Stucco Tan

Doors and shutters
DE5789 English River

Stucco
DET625 Reclaimed Wood

Standard Colors

Flat concrete roof tiles
Dark Charcoal

Brackets, columns, fascia
DE6383 Bank Vault

Color Scheme 2

Board and batten
DE6239 Latte Froth

Doors and shutters
DE5719 Ecological

Stucco
DET625 Reclaimed Wood

N.F.C.

Phase:CONCEPT Reviewd By:Checker Drawn By:Author Date: 01/06/2021

Project #: 3987

PINNACLE PEAK & 23RD AVENUE MULTI-FAMILY DEVELOPMENT

Address:
22635 N BLACK CANYON HWY
PHOENIX, AZ 85027

Presentation Elevations

SD1

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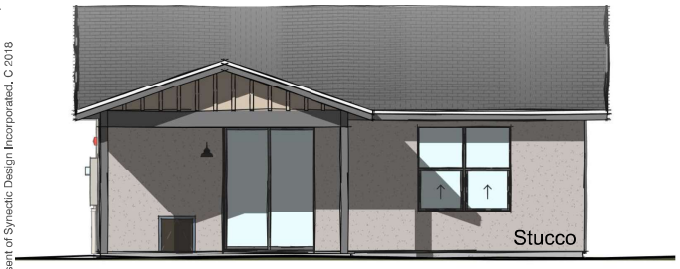
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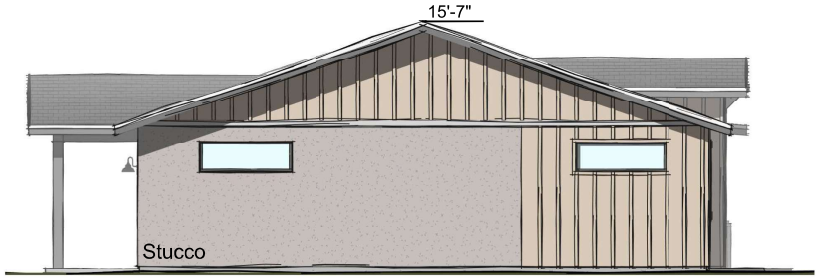
CITY OF PHOENIX

MAR 24 2021

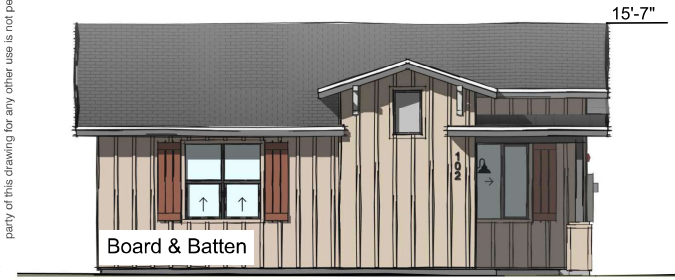
Planning & Development Department



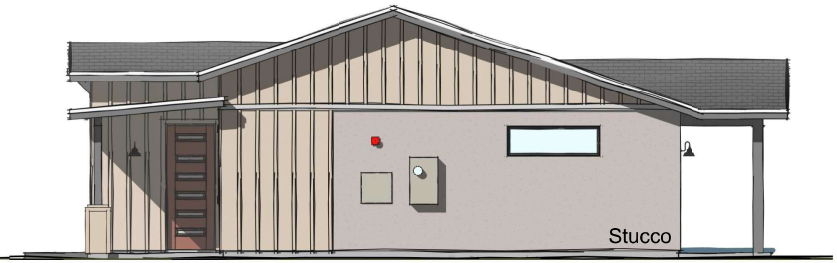
REAR ELEVATION
N.T.S.



LEFT ELEVATION
N.T.S.



FRONT ELEVATION
N.T.S.



RIGHT ELEVATION
N.T.S.

1111 West
University Drive
Suite 104,
Tempe,
AZ 85281
t:480.948.9766
f:480.948.9211

Standard Colors



Flat concrete roof tiles
Dark Charcoal

Brackets, columns, fascia
DE6383 Bank Vault

Color Scheme 1

Board and Batten
DET625 Reclaimed Wood

Doors and shutters
DE5789 English River

Stucco
DE6205 Stucco Tan

Color Scheme 2

Board and Batten
DE6129 Rustic Taupe

Doors and shutters
DE6105 Weathered Leather

Stucco
DET625 Reclaimed Wood

N.F.C.

Phase:CONCEPT Reviewd By:LDB Drawn By:NYK Date: 01/28/2021

BUILDING TYPE "B" Project #: 3987

PINNACLE PEAK & 23RD AVENUE MULTI-FAMILY DEVELOPMENT

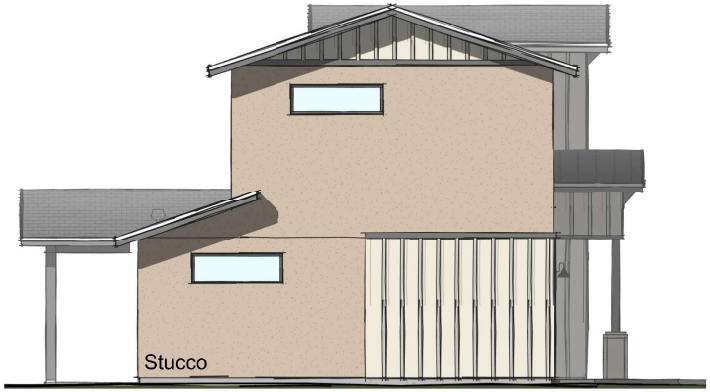
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PHOENIX, AZ 85027

Presentation Elevations

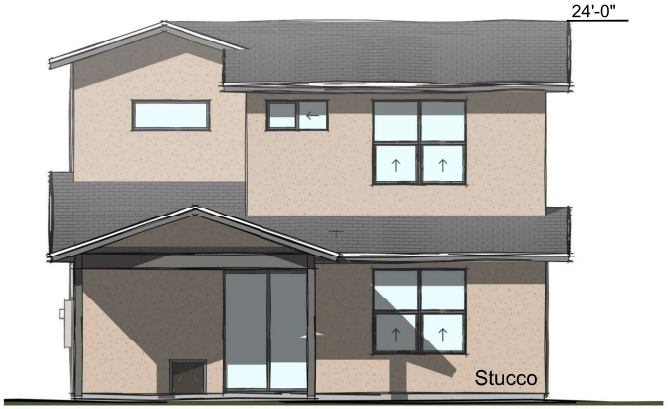
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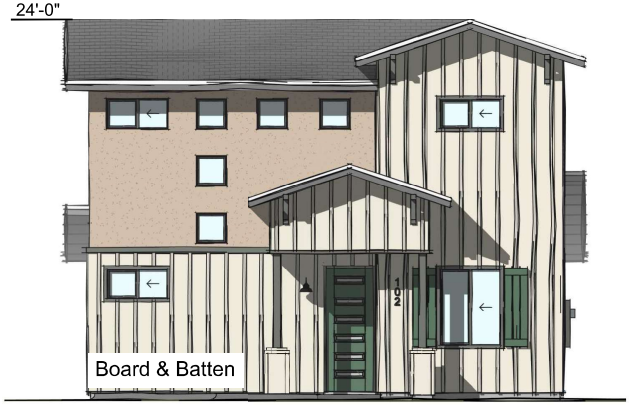
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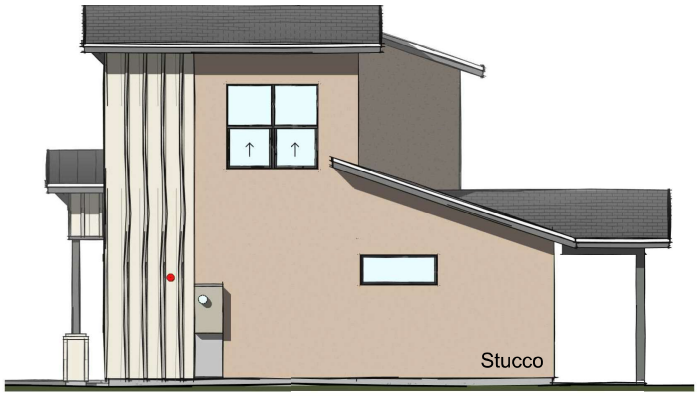
LEFT ELEVATION
N.T.S.



REAR ELEVATION
N.T.S.



FRONT ELEVATION
N.T.S.



RIGHT ELEVATION
N.T.S.

N.F.C.

Phase:CONCEPT Reviewd By:LDB Drawn By:NYK Date: 01/28/2021

PINNACLE PEAK & 23RD AVENUE MULTI-FAMILY DEVELOPMENT

Address:
22635 N BLACK CANYON HWY
PHOENIX, AZ 85027

CITY OF PHOENIX
MAR 24 2021
Planning & Development Department

1111 West
University Drive
Suite 104,
Tempe,
AZ 85281
t:480.948.9766
f:480.948.9211

Standard Colors



Flat concrete roof tiles
Dark Charcoal



Brackets, columns, fascia
DE6383 Bank Vault

Color Scheme 1



Board & batten
DE6239 Latte Froth



Doors and shutters
DE5719 Ecological



Stucco
DE6129 Rustic Taupe

Color Scheme 2



Board and batten
DET625 Reclaimed Wood



Doors and shutters
DE6105 Weathered Leather



Stucco
DE6239 Latte Froth

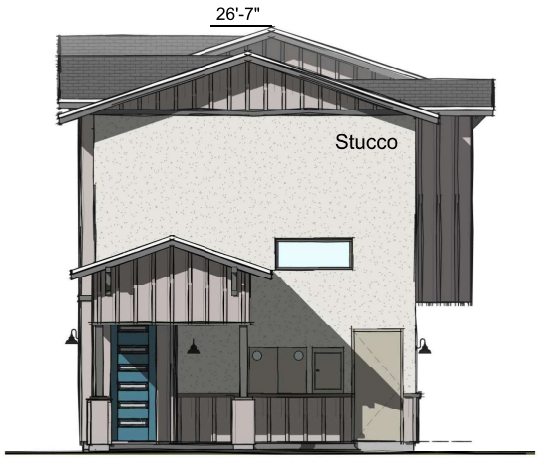
BUILDING TYPE "C" Project #: 3987

Presentation Elevations

SD3

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RIGHT ELEVATION
N.T.S.

Standard Colors



Flat concrete roof tiles
Dark Charcoal

Brackets, columns, fascia
DE6383 Bank Vault

Color Scheme 1

Board and Batten
DET625 Reclaimed Wood

Doors
DE5789 English River

Stucco
DE6239 Latte Froth

Color Scheme 2

Board and Batten
DE6129 Rustic Taupe

Doors
DE6105 Weathered Leather

Stucco
DET625 Reclaimed Wood

1111 West
University Drive
Suite 104,
Tempe,
AZ 85281
t:480.948.9766
f:480.948.9211



FRONT ELEVATION
N.T.S.

N.F.C.

Phase:CONCEPT Reviewd By:LDB Drawn By:NYK Date: 01/28/2021

BUILDING TYPE "D" Project #: 3987

PINNACLE PEAK & 23RD AVENUE MULTI-FAMILY DEVELOPMENT

Address:
22635 N BLACK CANYON HWY
PHOENIX, AZ 85027

Presentation Elevations

SD4

1/28/2021 5:20:58 PM

Deer Valley
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-3-21-1

Date of VPC Meeting	April 8, 2021
Request From	RE-43 DVAO
Request To	R-3 DVAO
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-1-21-1 and Z-3-21-1 were heard concurrently.

Mr. David Simmons, staff, went over both the General Plan Amendment request as well as the rezoning request. He explained that the character of the area along the Interstate 17 corridor north of Williams Road is developing with commercial and residential uses. Therefore, this request is consistent with other developments in the area. Further, Mr. Simmons went over the conceptual site plan and elevations and explained the rationale behind the stipulations.

Mr. Keith Greenberg asked if there is only one ingress/egress point.

Mr. Simmons explained that there is one primary ingress/egress point, but did mention that the reis a fire access point on the northeast former of the site.

Mr. Jason Morris and Mr. George Pasquel, with Withey Morris, representing the applicant, co-presented. They went over the General Plan Amendment request first followed by the companions rezoning request. Mr. Morris shared that the Mac Real Estate Group typically develops industrial uses, however, they are interested in developing workforce housing for their industrial developments in the area. Mr. Morris went into great detail about ingress/egress and shared that the original site plan submitted with the request depicted two fire access points, but due to staff's comments one of these fire access points was eliminated. Mr. Morris went on to explain that the main entry point is gated and will include landscape enhancements. Mr. Morris spoke to Mr. Greenburg's inquiry in regard to ingress/egress. Mr. Morris shared the preliminary rendering to show spacing between units and amenity areas.

Mr. Stuart Kimball joined the meeting at 6:32, bringing quorum to 11.

Mr. Ricardo Romero asked about public outreach for the GPA request.

Mr. Morris shared that they did do a great deal of public outreach and collaborated with the property owners to the north resulting in the GPA application including those parcels. Further, he shard that there was no public opposition to the GPA or rezoning request.

Mr. Romero asked if this is their clients first residential product type.

Mr. Morris shared that Mac Real Estate Group has been in business for over 50 years and they have developed residential uses in the past.

Mr. Bill Levy asked if the pool was heated.

Mr. Morris shared that the pool will be heated.

Mr. Levy asked about the price points of the units.

Mr. Morris shared that the price points have yet to be established.

Vice Chair Trilese DiLeo asked if the units were to be rentals or lot sales.

Mr. Morris shared that they will be high end rentals. With a single-family feel.

Vice Chair DiLeo asked if the rents were going to be in the median range.

Mr. Morris shared that the rents will be in the median price range for the surrounding workforce.

Mr. Ozzie Virgil asked the applicant what size the units were going to be.

Mr. Morris shared that there will be 1, 2 and 3 bedroom units with individual electrical meters. He shared that the concept is to serve the workforce in the immediate area.

Mr. Virgil asked Mr. Morris where the applicant recently purchased nearby property for industrial uses.

Mr. Morris shared that his client was the successful bidder on State Trust Land just north of Deer Valley Airport.

Mr. Virgil shared that he has concerns with overflight air traffic from Deer Valley Airport.

Mr. Morris shared that he and his team had met with the Aviation staff and they are ok with the request. Otherwise, they would not have moved forward.

Mr. Virgil shared that he is more concerned about residential so close to the airport.

Mr. Morris shared that the Aviation department does not want to see residential east of 23rd Avenue or south of the subject site.

Public Comment:

Ms. Peggy Neely shared that she supports the proposal.

Tina Larsen, owner of Candid Realty, spoke in favor of the proposal and shared that this will be a great addition to the area. She shared that these are desirable rentals as they are more single-family like. This is workforce housing, which is needed in the area.

VPC Discussion:

None

MOTION: Vice Chair Trilese DiLeo motioned to recommend approval per staff's recommendation for Rezoning Case No. Z-3-21-1. Committee member **Mr. Brandon Shipman** seconded the motion.

VOTE: 10-1, motion to recommend approval passed, with Committee Members Grossman, DiLeo, Fergis, Gardner, Greenburg, Kenney, Kimball, Levy, Romero, and Shipman in favor. Mr. Ozzie Virgil was opposed

Attachment D

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

To: City of Phoenix Planning Commission **Date:** May 4, 2021

From: David Simmons
Planner II – Village Planner

Subject: ITEM NO. 9 (Z-3-21-1) – APPROXIMATELY 825 FEET SOUTH OF THE SOUTHWEST CORNER OF 23RD AVENUE AND PINNACLE PEAK ROAD

This memo is to address an updated site plan and a request by the applicant regarding the recommended stipulation for a sound mitigation wall.

The Deer Valley Village Planning Committee recommended approval of case Z-3-20-1 on March 8, 2021 per the staff recommendation by a vote of 10 to 1. After the Deer Valley Village Planning Committee meeting, the applicant submitted an updated site plan, date stamped April 19, 2021 (attached), reflecting updates to the side yard setbacks. The previous site plan reflected 10-foot side yard setbacks, which would have required variances. The updated site plan reflects 15-foot side yard setbacks, which complies with code requirements.

In addition, the applicant has requested a modification to Stipulation No. 23 in regard to the sound mitigation wall. The request would allow the sound mitigation wall to wrap around the northwest and southwest corners of the site by 90 feet, rather than 120 feet. The applicant conducted a noise assessment (attached) that determined that the required decibel level could be achieved by the proposed 90-foot distance.

Staff recommends the requested modification to Stipulation No. 23 to allow for the sound mitigation wall to wrap around the site by 90 feet, rather than 120 feet.

Staff recommends approval, subject to the revised stipulations below:

1. The maximum building height shall be 30 feet.

2. The development shall be limited to 297 units.

3. The development shall be in general conformance with the elevations date stamped March 24, 2021, as modified by the following stipulations and approved by the Planning and Development Department.

4. An enhanced landscaped entry shall be provided at the main entryway into the development off of 23rd Avenue with a minimum 300 square feet of landscaped area on each side of the entrance. The landscaped entries shall be planted and maintained with a variety of at least three different plant materials, as approved by the Planning and Development Department.

5. A minimum landscape setback of 25 feet shall be required along the west property line along the Interstate 17 (I-17) frontage road and shall include minimum 3-inch caliper large canopy shade trees planted a minimum of 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

6. There shall be a minimum of four private open space amenity areas, three of which shall be centrally located. A minimum of 6 percent of the area shall be preserved as open space exclusive of landscape setbacks. Each area shall provide, at a minimum, one of the following amenity elements or other similar elements, as approved by the Planning and Development Department:

    - Swimming Pool
    - Fire Pit
    - Pavilion or Ramada
    - Dog park

7. The perimeter pedestrian pathway shall be provided as depicted on the site plan date stamped March 24, 2021 and shall reflect a common landscaping theme and include a minimum of three-inch caliper shade trees placed 20 feet on center exclusive of driveway/roadway crossings, as approved by the Planning and Development Department.

8. 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.

9. Clearly defined, accessible pedestrian pathways shall be provided to connect building entrances, public sidewalks, and bus stops, using the most direct route for pedestrians, as approved by the Planning and Development Department.

10. Perimeter walls shall incorporate stone veneer, stonework, integral color CMU block, split face block or faux stone, as approved by the Planning and Development Department.

11. A minimum 5-foot-wide detached sidewalk shall be provided along 23rd Avenue with a minimum 13-foot-wide landscape area located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.

    a. Minimum 3-inch caliper large canopy, single-trunk, shade trees placed a minimum of 25 feet on center or in equivalent groupings to provide a minimum of 75 percent shade on the adjacent sidewalk.

b. Drought tolerant shrubs and vegetative groundcovers with a maximum mature height of 24 inches to provide a minimum of 75% live coverage at maturity.

12. Structural or vegetative shade shall be provided for every 8 parking spaces, as approved by the Planning and Development Department.

13. The developer shall provide secured bicycle parking provide parking per Section 1307 of the City of Phoenix Zoning Ordinance. In addition, a minimum of eight inverted U-bicycle racks shall be provided for guests located near the club house/leasing office and installed per the requirements of Section 1307.H of the Zoning Ordinance, as approved by the Planning and Development Department.

14. The developer shall dedicate minimum 50-feet of right-of-way and construct the west half of 23rd Avenue for the full limits of the project, per Cross Section D standards identified on the City of Phoenix Street Classification Map, as approved by the Planning and Development Department.

15. In compliance with the Complete Streets Ordinance, the developer shall submit a signing and striping plan to include an extension of the bike lane for the full limits of the project frontage.

16. A Red Border Letter shall be processed for this development, as approved by the Street Transportation Department.

17. 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.

18. The developer must file FAA Form 7460 and provide City FAA's no hazard determination prior to construction permit approval, as per plans approved by the Planning and Development Department.

19. 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.

20. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Deer Valley Airport (DVT) 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.

21. Prior to issuance of a final certificate of occupancy, the developer must install a sign (approximately 8 inches by 11 inches in size) within the development's sales/leasing office that is visible to prospective renters or purchases which discloses the proximity of the Deer Valley Airport and increased frequency of overflight and related aircraft noise, as approved by the Aviation Department.

22. The indoor noise levels shall not exceed a decibel day night-level (DNL) of 45 decibels and that along with the building plans submitted for Phoenix Building Construction Code compliance review to the Planning and Development Department there shall be a sealed and signed analysis by an engineer licensed in Arizona with a proficiency in residential sound mitigation or noise control. The engineer shall note in the analysis that the building design is capable of achieving the required Noise Level Reduction.

23. Noise mitigation walls shall be provided along the western boundary of the development. The wall height shall be determined through a noise analysis prepared and sealed by a registered professional engineer. The walls shall contain no openings unless they are above the minimum height required for adequate noise mitigation or for drainage. The walls shall wrap around to the north and south property lines and shall continue for at least ~~**120**~~ **90** feet, as approved by the Planning and Development Department. A wall detail sealed by a registered professional engineer, demonstrating that the walls will reduce noise to 65 Decibels or lower shall be submitted prior to preliminary site plan approval.

24. 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.

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, determines 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.

Enclosures:
Revised Site Plan date stamped April 20, 2021
Noise Assessment (19 pages)

CITY OF PHOENIX
APR 19 2021
Planning & Development Department

SITE DATA

SITE BASICS:

PROJECT ADDRESS:	22635 N. BLACK CANYON HWY PHOENIX, AZ 85027
ASSESSORS PARCEL #:	209-03-009B
SITE AREA:	855,136 S.F., 19.63 ACRES
CURRENT ZONING:	RE-43
PROPOSED ZONING:	R-3
LOT COVERAGE ALLOWED:	50%
LOT COVERAGE:	256,004 / 855,136 = 29%
PERIMETER STANDARDS:	20' ADJ. TO PUBLIC STREET 10' ADJ. TO PROPERTY LINE
SETBACKS: FRONT	10'
REQUIRED COMMON AREA:	5% GROSS AREA = 42,756 SF
PROVIDED COMMON AREA:	6.65% (56,943 SF)
MAX HEIGHT:	40' FOR FIRST 150' (3 STORY) 48' MAX (4 STORY MAX)
MAX DENSITY:	30.45 DU/AC
PROPOSED DENSITY:	15.12 DU/AC

UNIT DATA:

UNIT MIX:	
1BEDROOM =	88 UNITS (29.4%)
2BEDROOM =	150 UNITS (50.6%)
3BEDROOM =	59 UNITS (20%)
TOTAL =	297 UNITS

PARKING DATA:

REQUIRED PARKING:	+-610 SPACES TOTAL
1 BEDROOM (88X1.5)	132 SPACES
2 BEDROOM (150X2)	300 SPACES
3 BEDROOM (59X2)	118 SPACES
GUEST (297X.2)	59.4 SPACES
PROVIDED PARKING:	
GARAGE:	140 SPACES
COVERED:	323 SPACES
SURFACE:	209 SPACES
TOTAL =	672 SPACES

SITE LEGEND

A = 1 BEDROOM, 1 STORY	750SF
B = 2 BEDROOM, 1 STORY	1147SF
C = 3 BEDROOM, 2 STORY	1300SF
D = CARRIAGE 2 STORY	1600SF
= BUILDING ENTRY	



1 SITE PLAN - PRESENTATION
1" = 50'-0"

SYNECTIC DESIGN
1111 West University Drive, Suite 104, Tempe, AZ 85281
t 480.948.9766
f 480.948.9211

PINNACLE PEAK & 23RD AVENUE
MULTI-FAMILY DEVELOPMENT

22635 N. BLACK CANYON HWY
PHOENIX, AZ 85027

REVISIONS

Phase: SD
Drawn By: SB
Reviewed By: LDB
SDI Project No: 3987
Date: 04/14/2021
Sheet:

G2.0
PRESENTATION SITE PLAN

This drawing is the property of Synectic Design Incorporated, 1111 W University Dr. Suite #104, Tempe Az. 85281 - 480.948.9766. This drawing is limited to the original use for which it was prepared. Changes, reproductions, or assigning to any third party of this drawing for any other use is not permitted without written consent of Synectic Design Incorporated. © 2019
BM 3987/3987 Pinnacle Peak and 23rd/3987_Central 2020_2_26fs.vt 4/19/2021 1:47:01 PM

MD ACOUSTICS
Sound Solutions for Planning and Design
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April 15, 2021

CITY OF PHOENIX
APR 19 2021
Planning & Development Department

Mr. Andrew Dutton
Mack Real Estate Development, LLC
1150 S Olive Street, Ste 2250
Los Angeles, CA 90015

Subject: I17 & Pinnacle Peak Road Multi-Family Development – Noise Review Letter – Phoenix, AZ

Dear Mr. Dutton:

MD Acoustics, LLC (MD) is pleased to submit this letter as part of the noise assessment for the proposed I17 & Pinnacle Peak Road project located 22635 N Black Canyon Highway, Phoenix, AZ. The project proposes the construction of approximately 297 apartment units with 671 parking spaces, open space including outdoor pool on 19.6 acres. Exhibit A provides the location map and Exhibit B provides the project site plan. A glossary of acoustical terms is located in Appendix A.

1.0 Local Acoustical Requirements

The Black Canyon Freeway Specific Plan outlines the acoustical requirements and is as follows:

703.A.2.a.(3) (Landscaping, Fences and Walls)

Where a property line abuts or is adjacent to a freeway right-of-way, a noise mitigation wall exceeding the height limits in Section 703.A.2 may be erected under the following circumstances:

a. *The lot is in an area for which there is an approved Freeway Mitigation Specific Plan; and*
b. *Wall height is indicated for that area in the Specific Plan or a noise analysis prepared by a registered professional engineer is submitted to the Planning and Development Department, which analysis demonstrates that the proposed wall height is required to reduce the noise level from freeway traffic to sixty-five dB(a) Ldn in outdoor living areas adjacent to the freeway.*

The Staff Report dated April 6, 20201 outlines additional acoustical requirements and is as follows:

c. *Noise mitigation walls shall be provided along the western boundary of the development. The wall height shall be determined through a noise analysis prepared and sealed by a registered professional engineer. The walls shall contain no openings unless they are above the minimum height required for adequate noise mitigation or for drainage. The walls shall wrap around to the north and south property lines and shall continue for at least 120 feet, as approved by the Planning and Development Department. A wall detail sealed by a registered professional engineer, demonstrating that the walls will reduce noise to 65 Decibels or lower shall be submitted prior to preliminary site plan approval.*

Exhibit A
Location Map



Exhibit B
Site Plan



2.0 Existing Noise Readings

On 3/17/2021 to 3/19/20021, MD conducted a 48-hour noise survey at the site to evaluate the baseline noise conditions (*I-17 & Pinnacle Peak Road Multi-Family Development – 48-Hour Noise Survey – Phoenix, AZ, dated 3/24/2021*) . The data indicates the Ldn measured 67 dBA at the western property line and 60 dBA at the center of the site.

3.0 Evaluation Procedure

3.1 FHWA Traffic Noise Calculator

ADOT 2019 traffic counts were input into the Federal Highway Administration Traffic Noise Calculator along with 2019 truck percentages and calibrated the model to the real-world measurements. These counts are in Appendix B. The model predicts a Ldn of 67 dBA at the west property line.

3.2 3D Model and Contour Map

The noise level was modeled using SoundPLAN 3D (SP) acoustic modeling software. SP is capable of evaluating roadway at various receptor locations. SP's software utilizes algorithms (based on FHWA traffic noise modelling software) to calculate the noise projections. The software allows the user to input specific noise sources, spectral content, sound barriers, building placement, topography and noise sensitive receptors. The site is slightly elevated when compared to the centerline I17 Freeway elevation. The model uses ADOT 2019 traffic counts for SR-17 and vehicle mix data from ADOT. The model aligns with the Traffic Noise Model 2.5 and the baseline readings performed at the site. Appendix C provides the model's inputs and outputs.

4.0 Findings

4.1 Exterior Traffic Noise Levels

Four (4) receptors (R1 thru R4) were used to analyze the impact of noise from the freeway to the proposed project. R1 thru R4 evaluates the noise along the project site's western property line. Exhibit C provides the baseline noise level contours at the project site with no sound walls.

Exhibit D provides the abated sound levels at the project site which incorporates a 6-foot wall at the western property line and wraps around the north and south corners with a 90-foot length. With the incorporation on a 6-foot sound wall that wraps the corners (90-feet in length) the exterior level meets the City's Specific Plan requirement of 65 dBA Ldn. Exhibit D illustrates the approximate location of the wall.

Exhibit E provides the abated sound levels at the project site which incorporates a 6-foot wall along the backyards of the westerly dwelling units and wraps around the north and south corners with a 90-foot length. With the incorporation on a 6-foot sound wall that wraps the corners (90-feet in length) the exterior level meets the City's Specific Plan requirement of 65 dBA Ldn. Exhibit D illustrates the approximate location of the wall.

5.0 Summary of Recommendations

The following provides the recommendations for the project:

1. A 6-foot tall or higher CMU privacy wall either placed at the western property line or at the backyards of the westerly dwelling units is required and must wrap the north and south corners of the site and extend east at least 90-feet in length.

5.0 Conclusions

MD has evaluated the baseline noise condition for the I17 & Pinnacle Peak Road Multi-Family Development project located in Phoenix, AZ. The study shows that the unabated existing noise levels at the western property line is 67 dBA Ldn. With the incorporation of a 6-foot-tall CMU privacy wall, either at the western property line or at the backyard of the westerly dwelling units will reduced the exterior levels to approximately 60 dBA, which meets the City's Black Canyon Freeway Specific Plan noise requirements. MD is pleased to provide this noise assessment. If you have any questions regarding this analysis, call us at (602) 774-1950.

Sincerely,
MD Acoustics, LLC

Mike Dickerson, INCE
Principal

Exhibit C
Traffic Noise Level Impact to Project Site

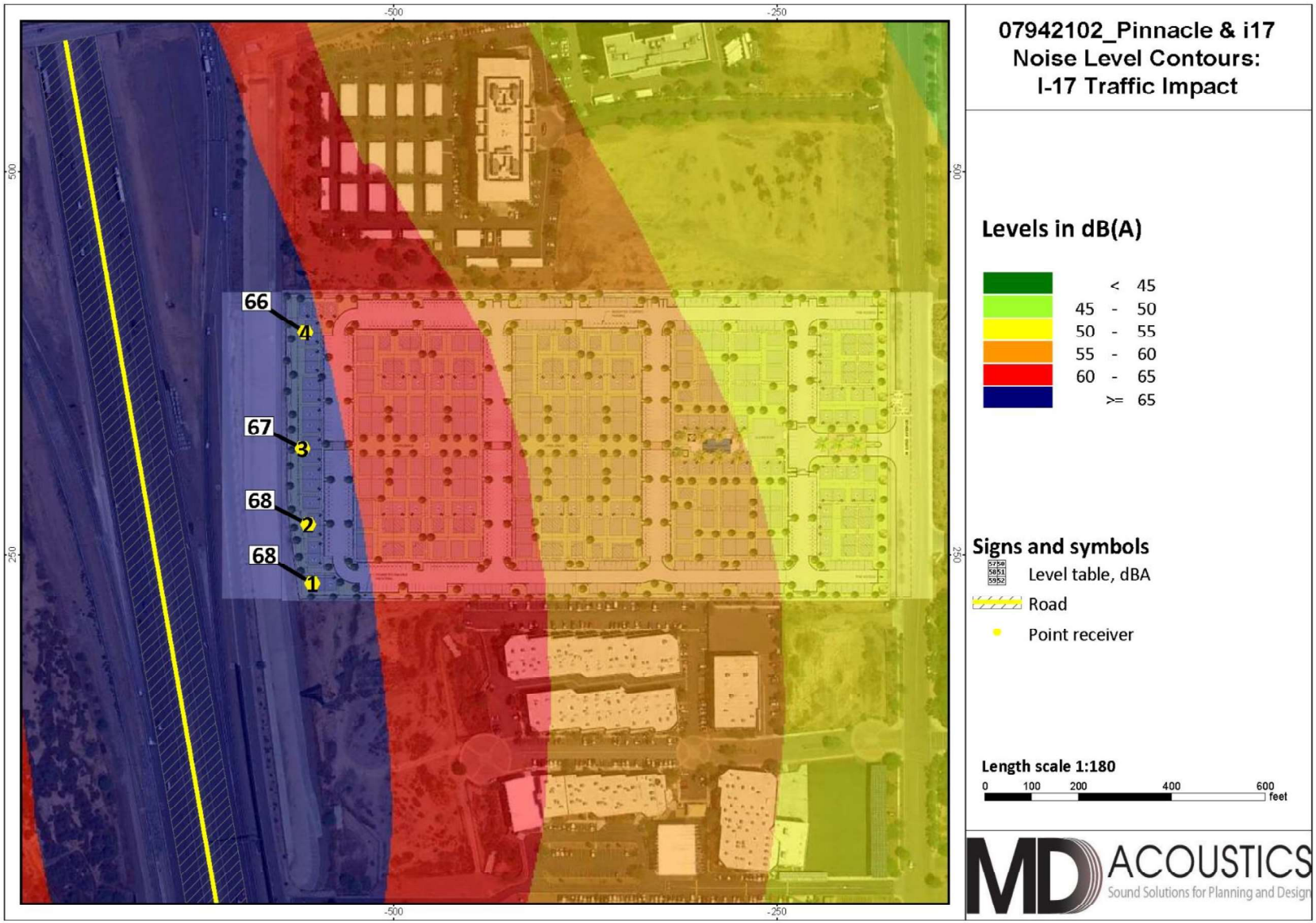


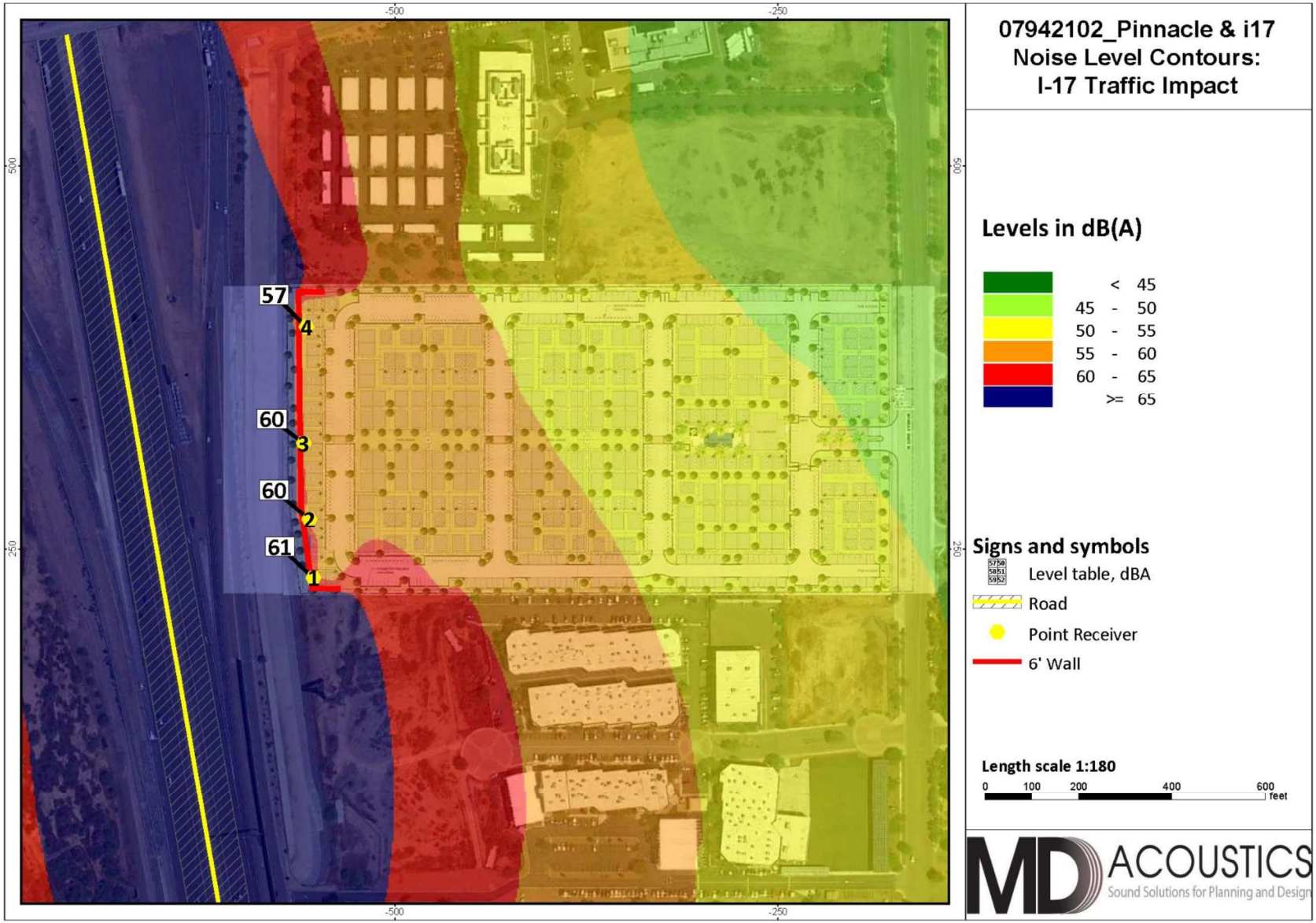
Exhibit D

Traffic Noise Level Impact to Project Site – 6' Wall Placed on Property Line



Exhibit D

Traffic Noise Level Impact to Project Site – 6' Wall Placed at Proposed Privacy Wall Location



Appendix A

Glossary of Acoustical Terms

Glossary of Terms

A-Weighted Sound Level: The sound pressure level in decibels as measured on a sound level meter using the A-weighted filter network. The A-weighting filter de-emphasizes the very low and very high frequency components of the sound in a manner similar to the response of the human ear. A numerical method of rating human judgment of loudness.

Ambient or Background Noise Level: The composite of noise from all sources, near and far. In this context, the ambient noise level constitutes the normal or existing level of environmental noise at a given location.

Decibel (dB): A unit for measuring the amplitude of a sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micro-pascals.

dB(A): A-weighted sound level (see definition above).

Equivalent Sound Level (LEQ): The sound level corresponding to a steady noise level over a given sample period with the same amount of acoustic energy as the actual time varying noise level. The energy average noise level during the sample period.

Field Sound Transmission Class (FSTC): The field sound transmission class (FSTC) rating is used for in situ wall and floor/ceiling sound isolation performance assessment. The standard requires the measurement of sound transmission loss and includes required procedure to show that the FSTC rating, as it has been determined by the test procedure, was not influenced by flanking of sound around the partition intended to be tested. Sound transmission class and FSTC ratings are intended by standard to be equivalent; however, practical experience indicates that FSTC ratings tend to be up to five ratings points less than laboratory-measured STC ratings.

Day-Night Level (LDN or DNL): LDN is the average noise level over a 24-hour period. The noise between the hours of 10PM to 7AM is artificially increased by 10 dB. This noise is weighted to take into account the decrease in community background noise of 10 dB during this period.

Noise: Any unwanted sound or sound which is undesirable because it interferes with speech and hearing, or is intense enough to damage hearing, or is otherwise annoying. The State Noise Control Act defines noise as "...excessive undesirable sound...".

Sound Level (Noise Level): The weighted sound pressure level obtained by use of a sound level meter having a standard frequency-filter for attenuating part of the sound spectrum.

Sound Level Meter: An instrument, including a microphone, an amplifier, an output meter, and frequency weighting networks for the measurement and determination of noise and sound levels.

Appendix B
Traffic Data

ADOT Multimodal Planning

Arizona Department of Transportation
AVERAGE ANNUAL DAILY TRAFFIC REPORT 2019

Loc ID	Route	BMP	Start	TCS MP	EMP	End	AADT 2019	K Factor %	D Factor %	AADT Single Trucks	AADT Combo	T Factor %	2040 Future AADT
100328	I 15	27.47	Exit 27 Black Rock Rd	27.8	29.4	Utah State Line	21,028	11	56	862	5,762	31.5	29,923
100333	I 17	193.89	Exit 150A I-10 (Exit 150A)	194.4	195.07	Exit 195A 16th St (SB only)	108,474	8	56	3,580	6,942	9.7	153,371
100334	I 17	195.07	Exit 195A 16th St (SB only)	195.17	195.99	Exit 195B 7th St (NB only)	135,099	7	52	4,323	7,295	8.6	185,067
100335	I 17	195.99	Exit 195B 7th St (NB only)	196.18	196.93	Exit 196 7th Ave (SB only)	128,381	8	54	4,365	8,473	10	179,632
100336	I 17	196.93	Exit 196 7th Ave (SB only)	197.43	197.94	Exit 197 19th Ave	125,582	7	56	4,521	7,409	9.5	178,175
100337	I 17	197.94	Exit 197 19th Ave	198.41	199.17	Exit 199A Grant St	114,718	8	50	4,130	6,654	9.4	178,175
100338	I 17	199.17	Exit 199A Grant St	199.34	199.71	Exit 199B Adams St	117,170	5	53	4,335	6,679	9.4	212,672
100339	I 17	199.71	Exit 199B Adams St	199.86	200.6	Exit 200A I-10 (Exit 143A)	111,313	7	58	3,896	6,568	9.4	155,207
100340	I 17	200.6	Exit 200A I-10 (Exit 143A)	200.7	200.88	Exit 200B Mcdowell Rd	73,946	5	62	3,666	2,285	8	109,615
100341	I 17	200.88	Exit 200B McDowell Rd	200.75	201.91	Exit 201 Thomas Rd	192,704	7	64	5,588	4,432	5.2	356,371
100342	I 17	201.91	Exit 201 Thomas Rd	202.29	202.9	Exit 202 Indian School Rd	194,100	7	53	6,211	4,853	5.7	337,199
100343	I 17	202.9	Exit 202 Indian School Rd	203.33	203.91	Exit 203 Camelback Rd	195,000	12	53	6,435	5,963	6.4	248,508
100344	I 17	203.91	Exit 203 Camelback Rd	204.32	204.91	Exit 204 Bethany Home Rd	196,300	8	53	5,496	4,122	4.9	254,382
100345	I 17	204.91	Exit 204 Bethany Home Rd	205.39	205.92	Exit 205 Glendale Ave	199,100	8	51	6,371	5,575	6	271,853
100346	I 17	205.92	Exit 205 Glendale Ave	206.28	206.91	Exit 206 Northern Ave	201,100	9	51	6,837	5,631	6.2	206,107
100347	I 17	206.91	Exit 206 Northern Ave	207.52	207.97	Exit 207 Dunlap Ave	202,400	7	56	6,564	5,465	5.9	210,087
100348	I 17	207.97	Exit 207 Dunlap Ave	208.46	208.95	Exit 208 Peoria Ave	194,000	6	67	6,208	5,432	6	309,858
100349	I 17	208.95	Exit 208 Peoria Ave	209.3	209.96	Exit 209 Cactus Rd	209,446	7	50	5,655	5,766	5.5	380,527
100350	I 17	209.96	Exit 209 Cactus Rd	210.4	210.95	Exit 210 Thunderbird Rd	207,707	7	50	6,024	6,118	5.8	311,627
100351	I 17	210.95	Exit 210 Thunderbird Rd	211.4	211.95	Exit 211 Greenway Rd	199,470	7	50	6,383	6,184	6.3	257,577
100352	I 17	211.95	Exit 211 Greenway Rd	212.6	212.95	Exit 212 Bell Rd	188,507	7	51	6,221	6,221	6.6	311,163
100353	I 17	212.95	Exit 212 Bell Rd	213.62	213.98	Exit 214 Union Hills Rd	182,099	7	51	6,191	6,777	7.1	288,058
100354	I 17	213.98	Exit 214 Union Hills Rd	214.2	214.48	Yorkshire Dr / Utopia Rd	159,651	7	51	5,747	6,546	7.7	249,020
100355	I 17	214.48	Yorkshire Dr / Utopia Rd	214.71	214.95	Exit 215 SR 101	137,919	6	74	5,241	6,482	8.5	222,668
100356	I 17	214.95	Exit 215 SR 101	215.21	215.49	Exit 217A Rose Garden Ln	84,718	8	61	3,050	4,067	8.4	240,500
100357	I 17	215.49	Exit 217A Rose Garden Ln	215.71	215.99	Exit 217B Deer Valley Rd	126,043	7	60	5,041	6,807	9.4	268,393
100358	I 17	215.99	Exit 215 Deer Valley Rd	217	217.1	Exit 217 Pinnacle Peak Rd	150,115	7	58	5,855	8,407	9.5	154,946
100359	I 17	217.1	Exit 217 Pinnacle Peak Rd	217.5	218.02	Exit 218 Happy Valley Rd	125,949	7	56	760	4,863	4.5	160,864
100392	I 17	218.02	Happy Valley Rd.	218.48	218.91	Jomax Rd	123,694	8	53	6,110	4,577	8.6	155,502
100393	I 17	218.91	Jomax Rd	220	220.94	Dixileta Rd.	109,214	8	55	3,932	5,241	8.4	196,249
100394	I 17	220.94	Dixileta Rd.	221.11	221.94	Sonoran Drive	114,992	9	56	4,128	4,314	7.3	128,817
100395	I 17	221.94	Sonoran Drive	222.46	222.97	Sonoran Blvd	97,424	9	53	3,651	4,209	8.1	128,817
100396	I 17	222.97	Sonoran Blvd	223.51	223.99	Carefree Hwy	105,580	9	50	4,583	4,614	8.7	151,700
100397	I 17	223.99	Carefree Hwy	225	225.54	Pioneer Rd.	75,517	8	53	2,719	3,627	8.4	99,895

Appendix C

SoundPLAN Input/Outputs

Pinnacle & i17 P2
Emission calculation road - Situation 1: Outdoor SP

Road	Section name	KM km	ADT Veh/24h	Gradient %	
I-17		0.000	150000	0.0	

MD Acoustics LLC 4960 S. Gilbert Rd Chandler, AZ 85249 Phone: 602 774 1950

Source	Source ty	Tr. lane	Ldn dB(A)	A dB	
Receiver Receiver 1 Fl G dB(A) Ldn 68.4 dB(A)					
I-17	Road		68.4	0.0	
Receiver Receiver 2 Fl G dB(A) Ldn 68.0 dB(A)					
	Road		68.0	0.0	
Receiver Receiver 3 Fl G dB(A) Ldn 67.5 dB(A)					
	Road		67.5	0.0	
Receiver Receiver 4 Fl G dB(A) Ldn 65.9 dB(A)					
	Road		65.9	0.0	

Pinnacle & i17 P2
Contribution spectra - Situation 1: Outdoor SP

Source	Time slice	Sum	50Hz	63Hz	80Hz	100Hz	125Hz	160Hz	200Hz	250Hz	315Hz	400Hz	500Hz	630Hz	800Hz	1kHz	1.25kHz	1.6kHz	2kHz	2.5kHz	3.15kHz	4kHz	5kHz	6.3kHz	8kHz	10kHz
		dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)
Receiver Receiver 1 FI G dB(A) Ldn 68.4 dB(A)																										
I-17	Ldn	68.4	23.7	32.2	36.9	39.5	41.3	43.2	45.2	47.4	50.0	52.8	55.9	58.1	59.4	60.7	60.3	59.9	58.4	55.8	52.3	47.7	43.8	42.1	38.6	34.9
Remaining contrib. of src ""	Ldn																									
Receiver Receiver 2 FI G dB(A) Ldn 68.0 dB(A)																										
1	Ldn	68.0	23.3	31.8	36.6	39.1	40.9	42.8	44.8	47.1	49.7	52.5	55.5	57.8	59.0	60.3	59.9	59.5	58.0	55.4	52.1	47.1	43.3	41.8	38.4	34.5
Remaining contrib. of src ""	Ldn																									
Receiver Receiver 3 FI G dB(A) Ldn 67.5 dB(A)																										
1	Ldn	67.5	22.6	31.1	35.9	38.5	40.3	42.2	44.3	46.6	49.3	52.0	55.1	57.3	58.5	59.8	59.3	58.9	57.4	54.9	51.7	46.5	42.4	41.1	37.7	33.9
Remaining contrib. of src ""	Ldn																									
Receiver Receiver 4 FI G dB(A) Ldn 65.9 dB(A)																										
1	Ldn	65.9	20.6	29.2	34.0	36.6	38.5	40.5	42.7	45.1	47.8	50.6	53.6	55.7	56.9	58.1	57.7	57.2	55.7	53.4	50.6	45.0	39.6	39.2	35.7	32.0
Remaining contrib. of src ""	Ldn																									

Pinnacle & i17 P2
Emission calculation road - Situation 2: Outdoor SP

Road	Section name	KM km	ADT Veh/24h	Gradient %	
I-17		0.000	150000	0.0	

MD Acoustics LLC 4960 S. Gilbert Rd Chandler, AZ 85249 Phone: 602 774 1950

Pinnacle & i17 P2
Contribution level - Situation 2: Outdoor SP

Source	Source ty	Tr. lane	Ldn dB(A)	A dB	
Receiver Receiver 1 Fl G dB(A) Ldn 60.7 dB(A)					
I-17	Road		60.7	0.0	
Receiver Receiver 2 Fl G dB(A) Ldn 60.1 dB(A)					
	Road		60.1	0.0	
Receiver Receiver 3 Fl G dB(A) Ldn 59.8 dB(A)					
	Road		59.8	0.0	
Receiver Receiver 4 Fl G dB(A) Ldn 57.0 dB(A)					
	Road		57.0	0.0	

MD Acoustics LLC 4960 S. Gilbert Rd Chandler, AZ 85249 Phone: 602 774 1950

Pinnacle & i17 P2
Contribution spectra - Situation 2: Outdoor SP

Source	Time slice	Sum	50Hz	63Hz	80Hz	100Hz	125Hz	160Hz	200Hz	250Hz	315Hz	400Hz	500Hz	630Hz	800Hz	1kHz	1.25kHz	1.6kHz	2kHz	2.5kHz	3.15kHz	4kHz	5kHz	6.3kHz	8kHz	10kHz
		dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)
Receiver Receiver 1 FI G dB(A) Ldn 60.7 dB(A)																										
I-17	Ldn	60.7	17.2	25.7	30.5	33.0	34.8	36.8	38.9	41.5	45.2	46.6	50.3	52.4	52.4	53.3	52.0	51.0	48.4	44.6	40.8	36.1	28.7	30.5	27.1	23.2
Remaining contrib. of src ""	Ldn																									
Receiver Receiver 2 FI G dB(A) Ldn 60.1 dB(A)																										
1	Ldn	60.1	19.6	28.0	32.7	35.2	36.9	38.5	40.1	42.1	43.9	45.7	49.7	51.9	51.8	52.5	51.1	50.5	47.7	44.4	41.1	36.6	29.7	31.2	27.7	23.4
Remaining contrib. of src ""	Ldn																									
Receiver Receiver 3 FI G dB(A) Ldn 59.8 dB(A)																										
1	Ldn	59.8	17.1	25.6	30.3	32.8	34.6	36.4	38.3	40.7	43.6	46.2	48.9	51.2	51.3	52.3	51.2	50.2	47.7	44.0	40.1	35.6	29.3	30.1	26.7	22.7
Remaining contrib. of src ""	Ldn																									
Receiver Receiver 4 FI G dB(A) Ldn 57.0 dB(A)																										
1	Ldn	57.0	17.4	25.8	30.4	32.9	34.4	35.9	37.4	39.0	41.3	42.7	46.5	49.7	48.0	49.0	47.4	47.4	44.5	41.9	38.2	33.7	29.2	28.4	24.8	20.3
Remaining contrib. of src ""	Ldn																									

MD Acoustics LLC 4960 S. Gilbert Rd Chandler, AZ 85249 Phone: 602 774 1950

Attachment E

REPORT OF PLANNING COMMISSION ACTION
May 6, 2021

ITEM NO: 9	
	DISTRICT NO.: 1
SUBJECT:	
Application #:	**Z-3-21-1 (Companion Case GPA-DV-1-21-1)**
Location:	Approximately 825 feet south of the southwest corner of 23rd Avenue and Pinnacle Peak Road
From:	RE-43 DVAO
To:	R-3 DVAO
Acreage:	20.72
Proposal:	Multifamily residential
Applicant:	George Pasquel III, Withey Morris, PLC
Owner:	DV 20 AC Limited Liability Partnership
Representative:	George Pasquel III, Withey Morris, PLC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:
Deer Valley 4/8/2021 Approval, per the staff recommendation. Vote: 10-1.

Planning Commission Recommendation: Approval, per the Deer Valley Village Planning Committee recommendation and the staff memo, with an additional stipulation.

Motion Discussion: N/A

Motion details: Commissioner Howard made a MOTION to approve Z-3-21-1, per the Deer Valley Village Planning Committee recommendation and staff memo, with the additional stipulation as read into the record.

Maker: Howard
Second: Gorraiz
Vote: 9-0
Absent: None
Opposition Present: One registration in opposition; however, they were not present at the meeting.

Findings:

1. The request is not consistent with the General Plan Land Use Map designation of Industrial but will be consistent if the companion case (GPA-DV-1-20-1) is approved.

2. As stipulated, the proposed development is compatible with the existing zoning and uses in the surrounding area.

3. The proposal will redevelop an underutilized property and provide a high quality multifamily residential development which will help alleviate the housing shortage in Phoenix.

Stipulations:

1. The maximum building height shall be 30 feet.

2. The development shall be limited to 297 units.

3. The development shall be in general conformance with the elevations date stamped March 24, 2021, as modified by the following stipulations and approved by the Planning and Development Department.

4. An enhanced landscaped entry shall be provided at the main entryway into the development off of 23rd Avenue with a minimum 300 square feet of landscaped area on each side of the entrance. The landscaped entries shall be planted and maintained with a variety of at least three different plant materials, as approved by the Planning and Development Department.

5. A minimum landscape setback of 25 feet shall be required along the west property line along the Interstate 17 (I-17) frontage road and shall include minimum 3-inch caliper large canopy shade trees planted a minimum of 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

6. There shall be a minimum of four private open space amenity areas, three of which shall be centrally located. A minimum of 6 percent of the area shall be preserved as open space exclusive of landscape setbacks. Each area shall provide, at a minimum, one of the following amenity elements or other similar elements, as approved by the Planning and Development Department:

    - Swimming Pool
    - Fire Pit
    - Pavilion or Ramada
    - Dog park

7. The perimeter pedestrian pathway shall be provided as depicted on the site plan date stamped March 24, 2021 and shall reflect a common landscaping theme and include a minimum of three-inch caliper shade trees placed 20 feet on center exclusive of driveway/roadway crossings, as approved by the Planning and Development Department.

8. 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.

9. Clearly defined, accessible pedestrian pathways shall be provided to connect building entrances, public sidewalks, and bus stops, using the most direct route for pedestrians, as approved by the Planning and Development Department.

10. Perimeter walls shall incorporate stone veneer, stonework, integral color CMU block, split face block or faux stone, as approved by the Planning and Development Department.

11. A minimum 5-foot-wide detached sidewalk shall be provided along 23rd Avenue with a minimum 13-foot-wide landscape area located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.

    a. Minimum 3-inch caliper large canopy, single-trunk, shade trees placed a minimum of 25 feet on center or in equivalent groupings to provide a minimum of 75 percent shade on the adjacent sidewalk.

    b. Drought tolerant shrubs and vegetative groundcovers with a maximum mature height of 24 inches to provide a minimum of 75% live coverage at maturity.

12. Structural or vegetative shade shall be provided for every 8 parking spaces, as approved by the Planning and Development Department.

13. The developer shall provide secured bicycle parking provide parking per Section 1307 of the City of Phoenix Zoning Ordinance. In addition, a minimum of eight inverted U-bicycle racks shall be provided for guests located near the club house/leasing office and installed per the requirements of Section 1307.H of the Zoning Ordinance, as approved by the Planning and Development Department.

14. The developer shall dedicate minimum 50 feet of right-of-way and construct the west half of 23rd Avenue for the full limits of the project, per Cross Section D standards identified on the City of Phoenix Street Classification Map, as approved by the Planning and Development Department.

15. In compliance with the Complete Streets Ordinance, the developer shall submit a signing and striping plan to include an extension of the bike lane for the full limits of the project frontage.

16. A Red Border Letter shall be processed for this development, as approved by the Street Transportation Department.

17. 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.

18. The developer must file FAA Form 7460 and provide City FAA's no hazard determination prior to construction permit approval, as per plans approved by the Planning and Development Department.

19. 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.

20. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Deer Valley Airport (DVT) 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.

21. Prior to issuance of a final certificate of occupancy, the developer must install a sign (approximately 8 inches by 11 inches in size) within the development's sales/leasing office that is visible to prospective renters or purchases which discloses the proximity of the Deer Valley Airport and increased frequency of overflight and related aircraft noise, as approved by the Aviation Department.

22. The indoor noise levels shall not exceed a decibel day night-level (DNL) of 45 decibels and that along with the building plans submitted for Phoenix Building Construction Code compliance review to the Planning and Development Department there shall be a sealed and signed analysis by an engineer licensed in Arizona with a proficiency in residential sound mitigation or noise control. The engineer shall note in the analysis that the building design is capable of achieving the required Noise Level Reduction.

23. Noise mitigation walls shall be provided along the western boundary of the development. The wall height shall be determined through a noise analysis prepared and sealed by a registered professional engineer. The walls shall contain no openings unless they are above the minimum height required for adequate noise mitigation or for drainage. The walls shall wrap around to the north and south property lines and shall continue for at least ~~120~~ 90 feet, as approved by the Planning and Development Department. A wall detail sealed by a registered professional engineer, demonstrating that the walls will reduce noise to 65 Decibels or lower shall be submitted prior to preliminary site plan approval.

24. 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.

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, determines 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 Tamra Ingersoll at (602) 534-6648, TTY use 7-1-1.

Vestar

David Larcher
President

April 6, 2021

Via email: Alan.Stephenson@Phoenix.gov

Mr. Alan Stephenson
Director of the Planning and Development Department
City of Phoenix
200 West Washington Street, 3rd Floor
Phoenix, AZ 85003-1611

RE: Cases GPA-DV-1-21-1 Case Z 3-21-1

Dear Alan:

As the developer and owner of Happy Valley Towne Center at I-17 and Happy Valley Roads I would like to voice my support for the referenced zoning case. We welcome a project of this quality and design to bring additional residents to the immediate trade area. New residential development will support our retail center in this ever-challenging environment. We believe this is needed more than ever and an appropriate location for this project.

Vestar is in strong support of the above GPA and Companion Zoning Case. Please let me know if you have any questions.

Sincerely,

DJL:sko

2425 East Camelback Road
Suite 750
Phoenix, Arizona 85016
phone: 602.866.0900
fax: 602.956.8721

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City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 121

Public Hearing and Resolution Adoption - General Plan Amendment GPA-PV-1-20-2 - Southeast Corner of Kierland Boulevard and Greenway Parkway (Resolution 21927)

Request to hold a public hearing on the request 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-63-20-2 and should be heard first.

Summary

Current Plan Designation: Industrial (7.14 acres)
Proposed Plan Designation: Mixed Use (Commercial/Commerce Park/Residential 15+ dwelling units per acre)
Acreage: 7.14 acres
Reason for change: Minor General Pan Amendment to allow multifamily residential and commercial uses.

Owner: York Street Inn, Inc.
Applicant: Trey Brandt, RD Kierland
Representative: Nick Wood Esq., Snell & Wilmer, LLP

Staff Recommendation: Approval.
VPC Action: The Paradise Valley Village Planning Committee heard the case on April 5, 2021 and recommended approval, per the staff recommendation, by a 13-0 vote.
PC Action: The Planning Commission heard the case on May 6, 2021 and recommended approval, per the Paradise Valley Village Planning Committee recommendation, by a 9-0 vote.

Location

Southeast corner of Kierland Boulevard and Greenway Parkway
Council District: 2
Parcel Addresses: 14811 N. Kierland Blvd. and 7025 E. Greenway Parkway

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-PV-1-20-2, 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-PV-1-20-2, for 7.14 acres located on the southeast corner of Kierland Boulevard and Greenway Parkway, for Mixed Use (Commercial/Commerce/Business Park/Residential 15+ dwelling units per acre) for multifamily residential and commercial uses, as approved by the City Council on June 2, 2021 and that the Planning and Development Director is instructed to modify The 2015 Phoenix General Plan to reflect this land use classification change as shown below, as recommended by staff:

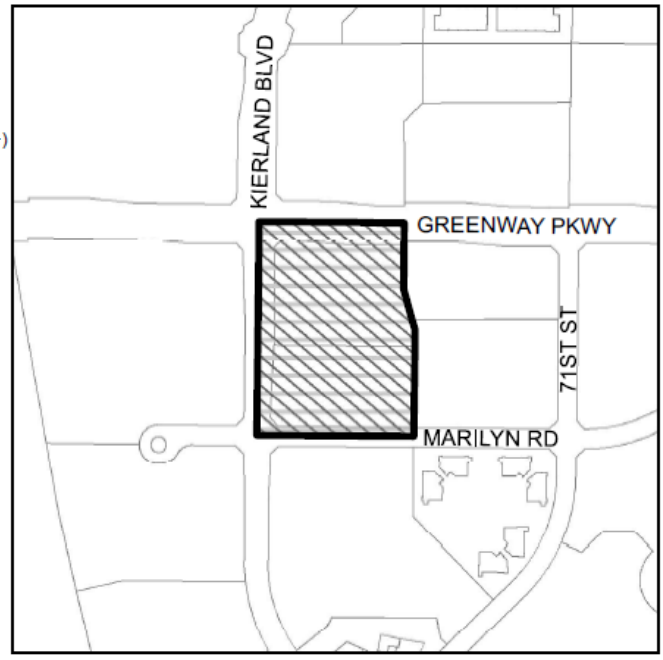
DRAFT

PROPOSED CHANGE:

Mixed Use (Commercial/Commerce Park/Residential 15+ du/ac (7.14 +/- Acres)

Proposed Change Area

Mixed Use (Commercial / Commerce Park / Residential 15+)



PASSED by the Council of the City of Phoenix this 2nd day of June 2021.

_____
M A Y O R

ATTEST:

_____ City Clerk

APPROVED AS TO FORM:

_____ Acting City Attorney

REVIEWED BY:

_____ City Manager

PL:amt:____v1 (CM __) (Item _) 3/17/21

DRAFT

Attachment B

City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

GENERAL PLAN AMENDMENT
STAFF ANALYSIS
March 25, 2021

Application:	GPA-PV-1-20-2
Applicant:	Trey Brandt, RD Kierland
Owner:	York Street Inn, Inc.
Representative:	Nick Wood Esq., Snell & Wilmer, LLP.
Location:	Southeast corner of Kierland Boulevard and Greenway Parkway
Acreage:	7.14 acres
Current Plan Designation:	Industrial (7.14 acres)
Requested Plan Designation:	Mixed Use (Commercial/Commerce Park/Residential 15+ dwelling units per acre) (7.14 acres)
Reason for Requested Change:	General Plan Land Use Map Amendment to change the land use designation to Mixed Use (Commercial/Commerce Park/Residential 15+ dwelling units per acre) for multifamily residential and commercial uses.
Paradise Valley Village Planning Committee Date:	April 5, 2021
Staff Recommendation:	Approval

FINDINGS:

1) The companion rezoning case, Z-63-20-2, proposes development that is consistent in scale and character with land uses in the surrounding area to the north and south.

2) The Mixed Use (Commercial/Commerce Park/Residential 15+ dwelling units per acre) land use designation will permit new zoning to be applied to the site that maximizes the opportunities for additional investment within the Maricopa Association of Governments (MAG) Desert Ridge and Kierland Employment Center.

3) The proposed land use designation provides consistency with the land use pattern of adjacent properties, while allowing for the introduction of new uses that will complement the existing employment and commercial uses in the area.

BACKGROUND

The subject site is located on the southeast corner of Kierland Boulevard and Greenway Parkway. The site is occupied by two one-story office buildings and surface parking. The companion Rezoning Case No. Z-63-20-2 is a request to allow PUD zoning for multifamily residential and commercial uses.

Currently the site has a land use map designation of Industrial. This General Plan Amendment proposes a land use map designation that will allow for alternative housing choices in the area. Recent development suggests the Kierland area is evolving to include a mixture of housing choices along with the commercial and employment uses.



Aerial Map, Source: Snell & Wilmer

The property's current General Plan Land Use Map designation does not permit residential uses, as proposed by the applicant. This General Plan Amendment proposes a Mixed Use land use designation of Commercial/Commerce Park/Residential 15+ dwelling units per acre. This Mixed Use designation will allow commercial, commerce park and residential land uses the flexibility to locate on any portion of the site in compliance with the PUD's development standards. Maps of the existing and proposed General Plan Land Use Map designations can be found in Exhibit 1 attached to this report.

SURROUNDING LAND USES AND AREA CONTEXT

The table below provides a summary of the surrounding General Plan (GP) Land Use Map designations, existing land uses and zoning surrounding the site.

Location	GP Land Use	Existing Land Uses	Zoning
North (Across Greenway Parkway)	Commercial	Commercial, Retail	C-2 PCD
South (Across Marilyn Road)	Industrial	Commercial Office	PUD
East	Industrial	Commercial Office	CP/GCP PCD
West (Across Kierland Boulevard)	Industrial	Commercial Office	CP/GCP PCD

Surrounding Land Use Designations, Land Use and Zoning

The site is also approximately 0.2 miles west of Scottsdale Road and falls within the boundaries of the Maricopa Association of Governments designated Desert Ridge/Kierland major employment center and is in close proximity to a City of Phoenix designated employment center. Providing additional housing options in close proximity to the nearby workforce will add to the sustainability of established office space and commercial uses built around the Desert Ridge/Kierland Major Employment Center.

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.**

The proposed RD Kierland PUD supports increased intensity by proposing multifamily residential that is compatible in scale and intensity with the surrounding Kierland area and properties adjacent to the site. The development is located in a mixed-use corridor where adjacent properties are multifamily or commercial. The project site is also within a designated employment center. The concentration of people near employment uses promotes the sustainability of nearby commercial uses.

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 Amendment will further diversify the existing land use map designations in this part of the city by allowing a residential development at a minor arterial street intersection as classified by Maricopa County. This will help to provide diverse housing opportunities in this area to both current and future residents.

CONCLUSION AND RECOMMENDATION

Staff recommends approval of GPA-PV-1-20-2 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 in an Employment Center.

Writer

David Simmons
March 23, 2021

Exhibits

Sketch Map (1 page)

GENERAL PLAN AMENDMENT

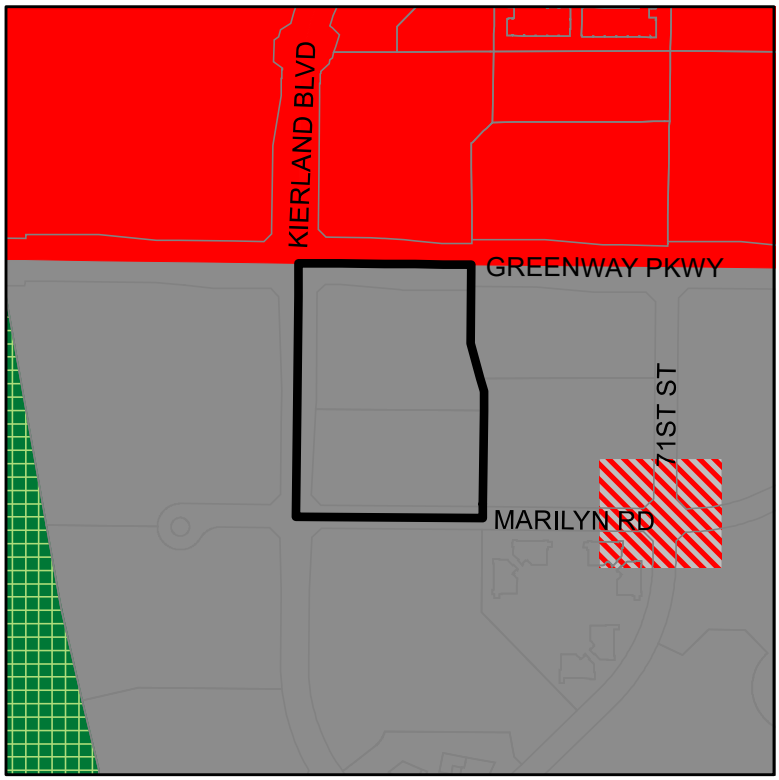
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-PV-1-20-2	ACRES: 7.14 +/-
VILLAGE: Paradise Valley	COUNCIL DISTRICT: 2
APPLICANT: Trey Brandt	

EXISTING:

Industrial (7.14 +/- Acres)

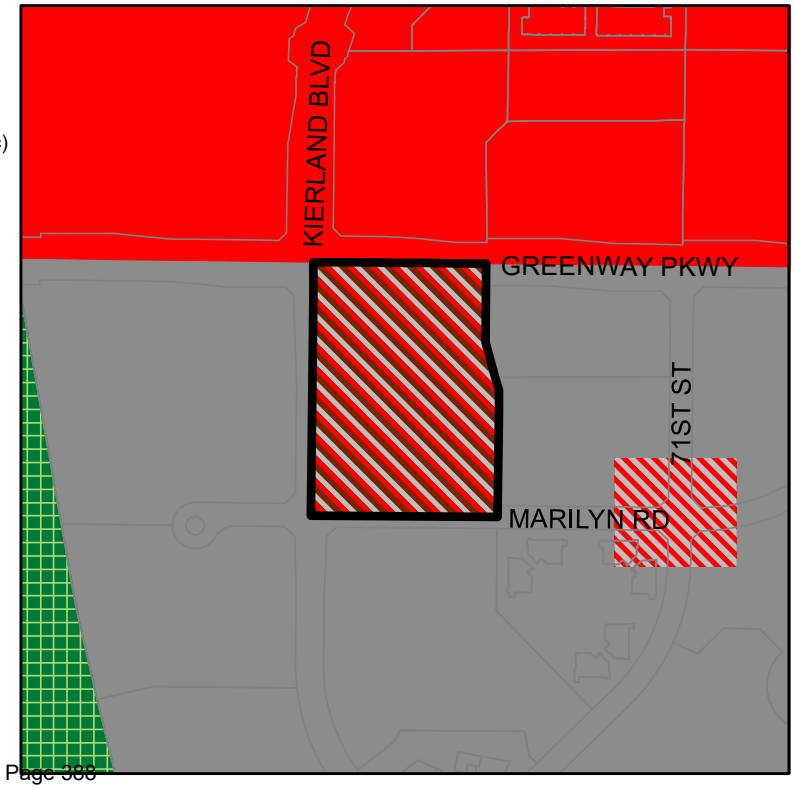
Proposed Change Area
Commercial
Mixed Use (Commercial / Commerce Park)
Industrial
Parks/Open Space - Privately Owned



PROPOSED CHANGE:

Mixed Use (Commercial/Commerce Park/Residential 15+ du/ac (7.14 +/- Acres)

Proposed Change Area
Mixed Use (Commercial / Commerce Park / Residential 15+ du/ac)



Paradise Valley
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
GPA-PV-1-20-2

Date of VPC Meeting	February 1, 2021
Request	To amend the General Plan Land Use Map Designation **from** Industrial **to** Mixed Use (Commercial/Commerce Park/Residential 15+ dwelling units per acre)
Location	Southeast corner of Kierland Boulevard and Greenway Parkway

VPC DISCUSSION:

Cases GPA-PV-1-20-2 and Z-63-20-2 were heard concurrently.

Mr. Nick Wood, with Snell & Wilmer, representing the applicant, went over the General Plan Land Use Map designation for the site and surrounding area. He went over the surrounding zoning designations and shared that this proposal or a mid-rise commercial building were the only two project types that would be suitable for the site. Mr. Wood shared a conceptual site plan in the presentation and went over specific site details to include a wrapped parking structure, ingress and egress points, landscaping, interior amenity areas, height and unit count. He also went over a comparative development standards table.

Vicechair Joe Lesher shared concerns about pedestrians crossing the street to the north.

Mr. Wood shared that no crosswalks were proposed along Greenway Parkway.

Paradise Valley
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
GPA-PV-1-20-2

Date of VPC Meeting	April 5, 2021
Request	To amend the General Plan Land Use Map Designation **from** Industrial **to** Mixed Use (Commercial/Commerce Park/Residential 15+ dwelling units per acre)
Location	Southeast corner of Kierland Boulevard and Greenway Parkway

VPC DISCUSSION:

Cases GPA-PV-1-20-2 and Z-63-20-2 were heard concurrently.

The Planning Commission will consider this request on May 6, 2021

Mr. David Simmons, staff, went over the General Plan Amendment request as well as the rezoning case. The character of the area did not develop as originally envisioned back in the 1970's as Industrial, but instead, has developed with high end residential and commercial uses in a highly desirable area of the city. He went over the existing General Plan Land Use Map designations in the surrounding area, the current and proposed zoning designation on the site and surrounding area and tied the staff recommendation to several policy plans such that helped to formulate support for the case at a staff level. He shared several stipulations and asked if the committee had any questions for staff.

Ms. Toby Gerst asked who was authorized to submit the General Plan Amendment request.

Mr. Simmons shared that the owner signed an ownership authorization form as part of the submittal requirements.

Applicants Presentation:

Mr. Nick Wood, with Snell & Wilmer, representing The Related Group, shared an in-depth presentation with the committee. He went over the history of the site, the current and proposed General Plan Land Use Maps designation on the site and the existing and proposed zoning designations on the site. He also shared that the City of Phoenix currently has a housing shortage and this area is highly desirable as it is in a major employment center that is continuing to expand. Mr. Wood shared the parking requirements for the proposal, went over the conceptual site plan and elevations and highlighted the auto court area on the west side of the property. Further, Mr. Wood expanded on the enhanced

development standards being offered as part of the proposal, showing how the project goes above and beyond the underlying zoning designation.

Public Comment:

None

Applicants Response:

None

Committee Discussion:

Mr. Alex Popovic asked if the current zoning was Industrial.

Mr. Wood shared that the current zoning is CP/GCP, but the current General Plan Land Use Map designation is Industrial.

MOTION:

Vice Chair Joe Lesher made a motion to recommend approval of General Plan Amendment Case No. GPA-PV-1-20-2, per the staff recommendation.

Mr. Alan Sparks seconded the motion.

VOTE:

13-0 with committee members Balderrama, Cantor, Cashman, Gerst, Goodhue, Hall, Maggiore, Popovic, Sparks, Ward, Wise, Gubser and Lesher in favor.

Attachment E

REPORT OF PLANNING COMMISSION ACTION
May 6, 2021

ITEM NO: 6	
	DISTRICT NO.: 2
SUBJECT:	
Application #:	**GPA-PV-1-20-2 (Companion Case Z-63-20-2)**
Location:	Southeast corner of Kierland Boulevard and Greenway Parkway
From:	Industrial
To:	Mixed Use (Commercial/Commerce/Business Park/Residential 15+ dwelling units per acre)
Acreage:	7.14
Proposal:	Multifamily Residential
Applicant:	Trey Brandt, RD Kierland
Owner:	York Street Inn, Inc.
Representative:	Nick Wood, Esq., Snell & Wilmer, LLP

ACTIONS:

Staff Recommendation: Approval.

Village Planning Committee (VPC) Recommendation:
Paradise Valley 2/1/2021 Informational only.
Paradise Valley 4/5/2021 Approval. Vote: 13-0.

Planning Commission Recommendation: Approval, per the Paradise Valley Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Commissioner Howard made a MOTION to approve GPA-PV-10-2, per the Paradise Valley Village Planning Committee recommendation.

Maker: Howard
Second: Mangum
Vote: 9-0
Absent: None
Opposition Present: One registration in opposition; however, they were not present at the meeting.

Findings:

1. The companion rezoning case, Z-63-20-2, proposes development that is consistent in scale and character with land uses in the surrounding area to the north and south.

2. The Mixed Use (Commercial/Commerce Park/Residential 15+ dwelling units per acre) land use designation will permit new zoning to be applied to the site that

maximizes the opportunities for additional investment within the Maricopa Association of Governments (MAG) Desert Ridge and Kierland Employment Center.

3. The proposed land use designation provides consistency with the land use pattern of adjacent properties, while allowing for the introduction of new uses that will complement the existing employment and commercial uses in the area.

This publication can be made available in alternate format upon request. Please contact Tamra Ingersoll at (602) 534-6648, TTY use 7-1-1.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 122

Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-63-20-2 - Southeast Corner of Kierland Boulevard and Greenway Parkway (Ordinance G-6863)

Request to hold a public hearing on the request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-63-20-2 and rezone the site from CP/GCP PCD (Commerce Park/General Commerce Park, Planed Community District) to PUD (Planned Unit Development) for multifamily residential and commercial uses. This is a companion case to GPA-PV-1-20-2.

Summary

Current Zoning: CP/GCP PCD
Proposed Zoning: PUD
Acreage: 7.14 acres
Proposed Use: Multifamily residential and commercial uses

Owner: York Street Inn, Inc.
Applicant: Trey Brandt, RD Kierland
Representative: Nick Wood, Esq., Snell & Wilmer, LLP

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Paradise Valley Village Planning Committee heard the case on April 5, 2021 and recommended approval, per the staff recommendation, by a 13-0 vote.
PC Action: The Planning Commission heard the case on May 6, 2021 and recommended approval, per the Paradise Valley Village Planning Committee recommendation with an additional stipulation by a 9-0 vote.

Location

Southeast corner of Kierland Boulevard and Greenway Parkway
Council District: 2
Parcel Addresses: 14811 N. Kierland Blvd. and 7025 E. Greenway Parkway

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-63-20-2) FROM CP/GCP PCD (COMMERCE PARK/GENERAL COMMERCE PARK PLANNED COMMUNITY 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 7.14-acre site located on the southeast corner of Kierland Boulevard and Greenway Parkway in a portion of Section 10, Township 3 North, Range 4 East, as described more specifically in Exhibit “A”, is hereby changed from “CP/GCP PCD” (Commerce Park/General Commerce Park, Planned Community 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 RD 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 March 15, 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: November 18, 2020
    2nd Submittal: January 29, 2021
    Hearing Draft: March 15, 2021
    City Council adopted: TBD

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 submit a Traffic Impact Study (TIS) to the City for this development. No preliminary approval of plans shall be granted until the study had been reviewed and approved by the City. Additional off-site improvements and right-of-way dedications may be required as identified in the approved traffic study. Development shall be responsible for the cost associated with these improvements and dedications.

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-

DRAFT

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.

PASSED by the Council of the City of Phoenix this 2nd day of June 2021.

_____
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-63-20-2

A PORTION OF THE EAST HALF OF SECTION 10, TOWNSHIP 3 NORTH, RANGE 4 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 1 AND 2, KIERLAND COMMERCE SOUTH, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 465 OF MAPS, PAGE 10.

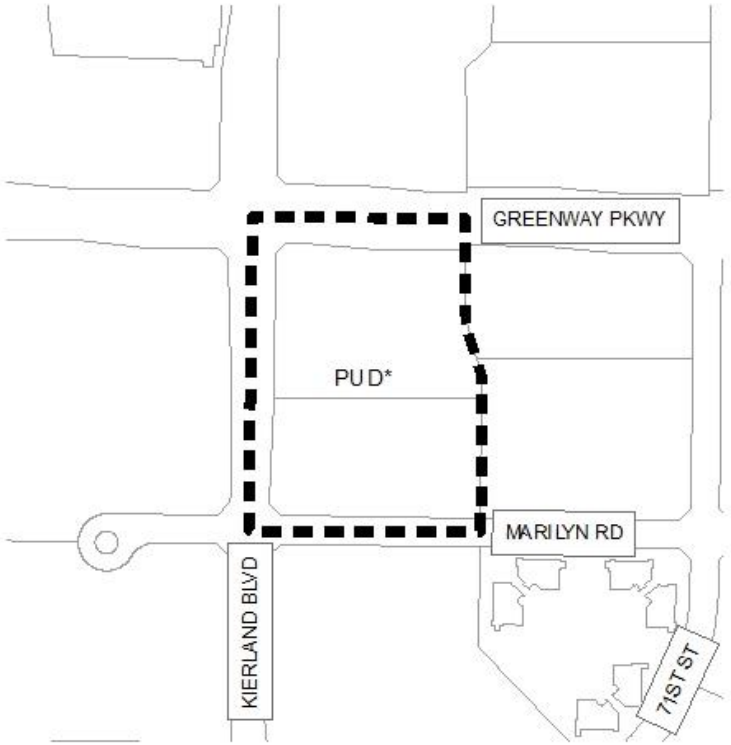
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ORDINANCE LOCATION MAP

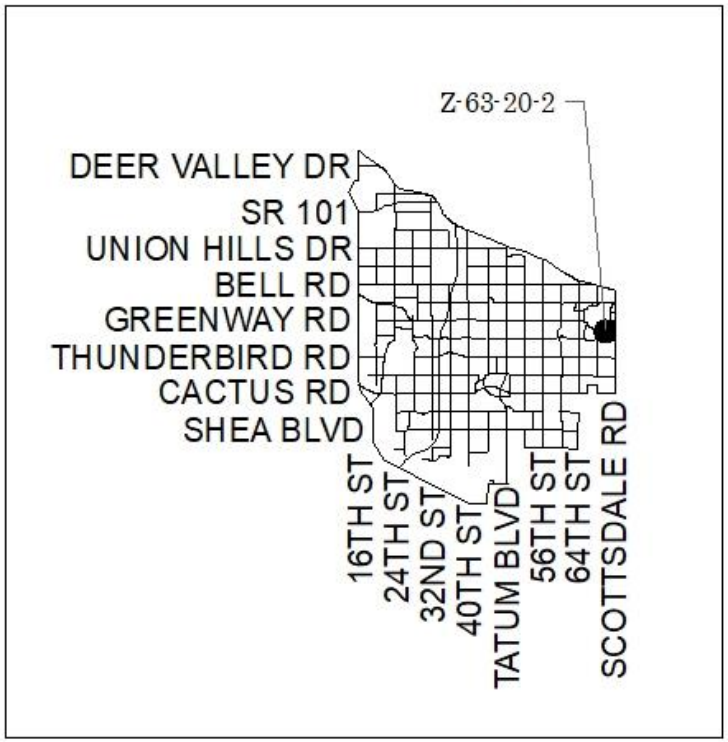
EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-63-20-2
Zoning Overlay: N/A
Planning Village: Paradise Valley



0 155 310 620 Feet



NOT TO SCALE

N

Drawn Date: 4/30/2021

\\one\pdd\Shared\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\SuppMaps_OrdMaps\2021 Ord\6-2-21\Z-63-20-2.mxd

Attachment B

City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

Staff Report Z-63-20-2
RD Kierland PUD
March 26, 2021

Paradise Valley Village Planning Committee Meeting Date:	April 5, 2021
Planning Commission Hearing Date:	May 6, 2021
Request From:	CP/GCP PCD (7.14 acres)
Request To:	PUD (7.14 acres)
Proposed Use:	Planned Unit Development to allow multifamily residential and commercial uses.
Location:	Southeast corner of Kierland Boulevard and Greenway Parkway
Owners:	York Street Inn, Inc.
Applicant:	Trey Brandt, RD Kierland
Representative:	Nick Wood, Esq., Snell & Wilmer, LLP
Staff Recommendation:	Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation		Current: Industrial Proposed (GPA-PV-1-20-2): Mixed Use (Commercial/Commerce Park/Residential 15+ dwelling units per acre)	
Street Map Classification	Kierland Boulevard	Collector	40 and 50-foot east half street
	Greenway Parkway	Arterial	55 and 67-foot south half street
	Marilyn Road	Local	30-foot north half street
CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES GOAL; 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 RD Kierland PUD supports increased intensity by proposing multifamily residential that is compatible in scale and intensity with the surrounding Kierland area and properties adjacent to the site. The development is located in a mixed-use corridor where nearby properties are multifamily or commercial. The project site is also within 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 the greater Kierland area.
BUILD THE SUSTAINANLE 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 RD Kierland PUD proposes landscaping around all four sides of the building. Detached sidewalks along Kierland Boulevard, Marilyn Road and Greenway Parkway framed with landscape strips will provide thermal comfort for pedestrians. The PUD also requires that a minimum of 75 percent of public pedestrian pathways be shaded.
CONNECT PEOPLE & PLACES CORE VALUE; BICYCLES; DESIGN PRINCIPLE: Development should be designed to included convenient bicycle parking. The proposed development will provide bicycle parking for both residents and guests. The project also is in close proximity to a proposed bike lane along 71st Street and will support tenants who prefer using alternative modes of transportation to get to work or nearby entertainment.

Applicable Plans, Overlays and Initiatives
Maricopa Association of Governments (MAG) Desert Ridge and Kierland Employment Center – 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

Surrounding Land Uses/Zoning		
	Land Use	**Zoning**
On Site	Commercial Office	CP/GCP PCD
South (across Marilyn Rd)	Commercial Office	PUD
North (across Greenway Parkway)	Commercial Office/Retail	C-2 PCD
East	Commercial Office	CP/GCP PCD
West (across Kierland Blvd)	Commercial Office	CP/GCP PCD

Background/Issues/Analysis

SUBJECT SITE

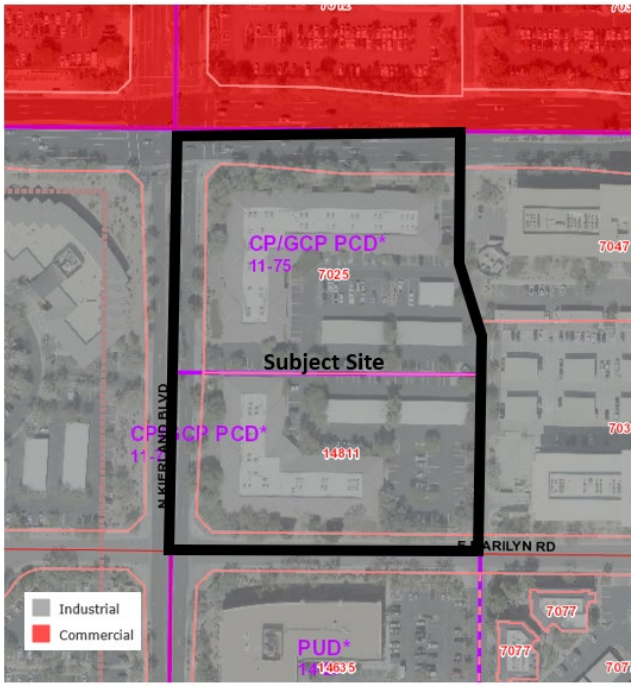
1. This request is to rezone a 7.14-acre site located on the southeast corner of Kierland Boulevard and Greenway Parkway. The request is to rezone from CP/GCP PCD (Commerce Park/General Commerce Park, Planned Community District) to PUD (Planned Unit Development) to allow multifamily residential and commercial uses.

2. The subject site consists of two parcels that are under the ownership of York Street Inn, Inc. The site currently contains two one-story office building with surface parking. The subject site was annexed into the City of Phoenix on October 15, 1961. At that time the subject site and the surrounding area vastly consisted of vacant land. This area was planned in 1975 as a Planned Community District (PCD) of 1,082 acres, previously known as the Desert Springs PCD and now known as the Kierland PCD, through Rezoning Case No. Z-11-75. Subsequently, the Kierland PCD went through several amendments since its original approval. The current CP/GCP zoning designation was established through Amendments D and Rezoning Case Nos. Z-11-D-75 on June 15, 1994 and Z-11-F-75 on February 19, 1997. Maricopa County Historical Aerials indicate that the first property to develop near the site was in approximately 1997 just west of the subject site and the subject property began development in approximately 1998. The PCD Zoning District is intended to establish a development pattern for a larger area while permitting flexibility for specific developments and safeguards that adequate infrastructure needs are met for the area. The proposed PUD also proposes to remove the property from the PCD and the developer will be required 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 Office

3. The General Plan Land Use Map designation for the subject site is Industrial. The proposal is not consistent with the General Plan Land Use Map designation but is consistent with current land uses in the area. A companion General Plan Amendment request (GPA-PV-1-20-2) proposes a Mixed-Use land use designation of Mixed Use (Commercial/Commerce Park/Residential 15+dwelling units per acre). This Mixed-Use designation will allow residential and commercial land uses the flexibility to locate on any portion of the site in compliance with the PUD's development standards.



General Plan Land Use Map, Source: City of Phoenix Planning and Development Department

The General Plan Land Use Map designation on three sides of the subject parcel are also Industrial. To the north, across Greenway Parkway, the General Plan Land Use Map designation is Commercial.

SURROUNDING ZONING AND USES

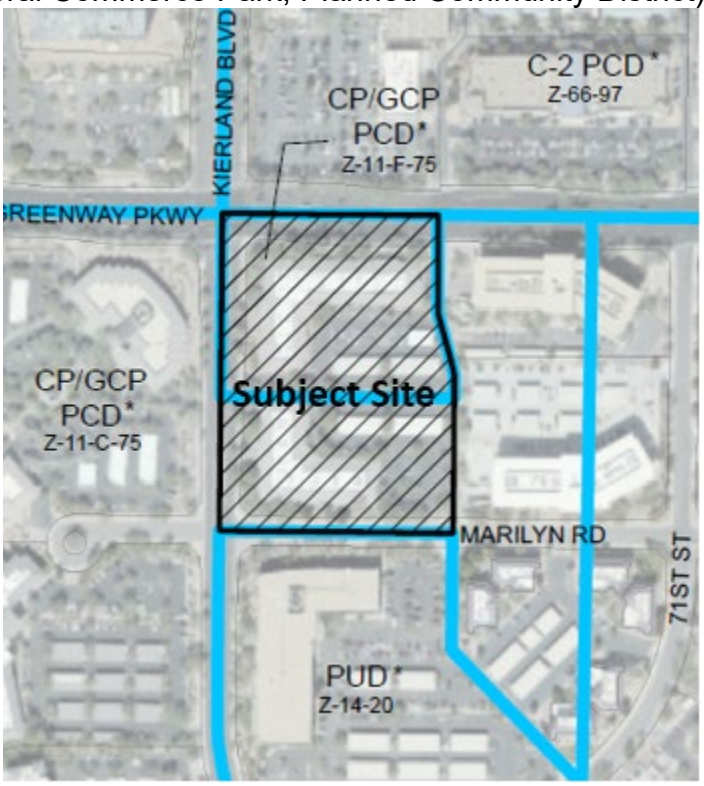
4. ***North***

The property to the north of the subject site, across Greenway Parkway, is a mixed use shopping center (Kierland Commons) zoned C-2 PCD (Intermediate Commercial, Planned Community District).

South
Directly south of the subject site is a two-story office building that was recently rezoned to PUD (Planned Unit Development) through Rezoning Case No. Z-14-20-2 that allows office with minor commercial uses.

East
Directly to the east of the subject site are two four-story commercial office buildings zon CP/GCP PCD (Commerce Park/General Commerce Park, Planned Community District)

West
West of the subject site, across Kierland Boulevard, is a two-story commercial office building zoned CP/GCP PCD (Commerce Park/ General Commerce Park, Planned Community District).



Surrounding Zoning, Source: City of Phoenix Planning and Development Department

5. The subject site falls within the boundaries of the Maricopa Association of Governments designated Desert Ridge/Kierland major employment center and is in close proximity to a City of Phoenix designated employment center. The Desert Ridge/Kierland employment center runs east from 36th Street to Scottsdale Road between Deer Valley Road and the Central Arizona Project Canal, including the area from 64th Street to Scottsdale Road between the CAP canal and Acoma Drive.



Employment Center Map, Source: City of Phoenix Planning and Development Department

A mix of housing types is encouraged in employment centers and commercial corridors. The Desert Ridge/Kierland employment center profile provided by the City of Phoenix Community and Economic Development Department identifies that the Kierland area is comprised of a highly educated, executive and professional workforce with a large inventory of Class A office space. Providing additional residential options in close proximity to the nearby office spaces will add to the sustainability of the established employment center and the Kierland area overall.

PROPOSAL

6. The proposal was developed utilizing the PUD zoning designation. 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 RD Kierland 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 March 15, 2021. The proposed standards were designed to allow for a multifamily development that continues enhancement along the Kierland Boulevard corridor for a more pedestrian-friendly environment.

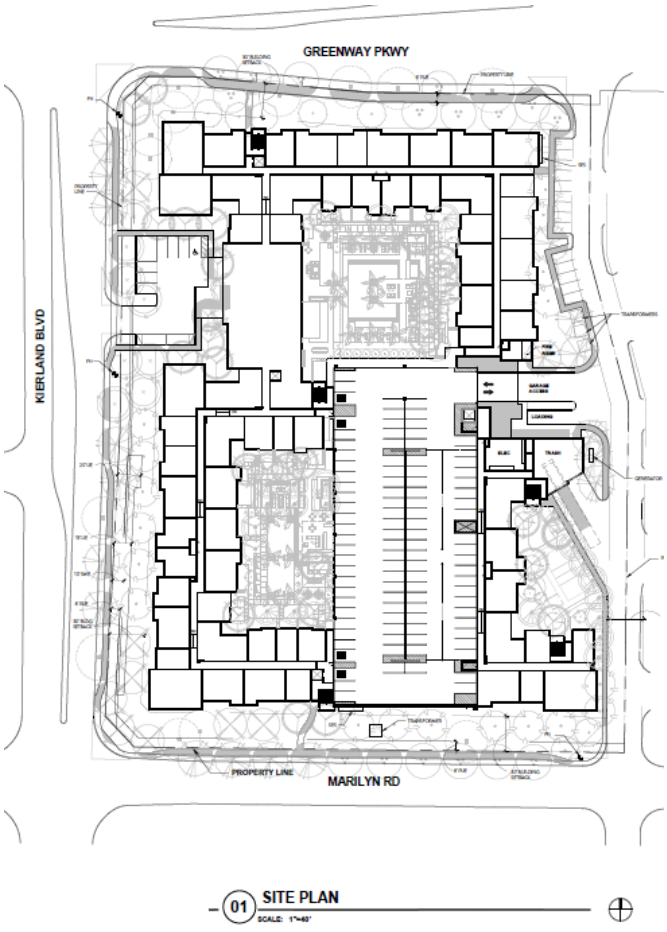
List of Uses

The Development Narrative proposes a number of permitted uses. The proposed uses consist of the permitted C-2 and CP/GCP zoning uses found in Sections 623 and 626 of the Phoenix Zoning Ordinance, with some prohibited uses. Additionally, multifamily residential is permitted with a maximum of 360 residential dwelling units.

The Development Narrative also proposes restricting certain uses that are inconsistent with the Narrative's vision of mixed-use pedestrian oriented development.

Conceptual Site Plan

The development's main access points are along Kierland Boulevard and the private drive bordering the eastern boundary of the subject site. The project proposes a five-story, 68-foot tall multifamily building and 68-foot tall parking garage that is partially wrapped by dwelling units. The remaining portion of the parking structure shall be screened with architectural embellishments consistent with the primary façade. Three amenity courtyards are proposed and are reserved as private common open space. Kierland Boulevard, Greenway Parkway and Marilyn Road will contain enhanced streetscape with a minimum seven-foot detached sidewalk along Greenway Parkway and a minimum five-foot wide sidewalks along Kierland Boulevard and Marilyn Road framed by landscape areas that will include trees, shrubs and live ground cover along.



Site Plan, Source: Nelson Partners

Development Standards

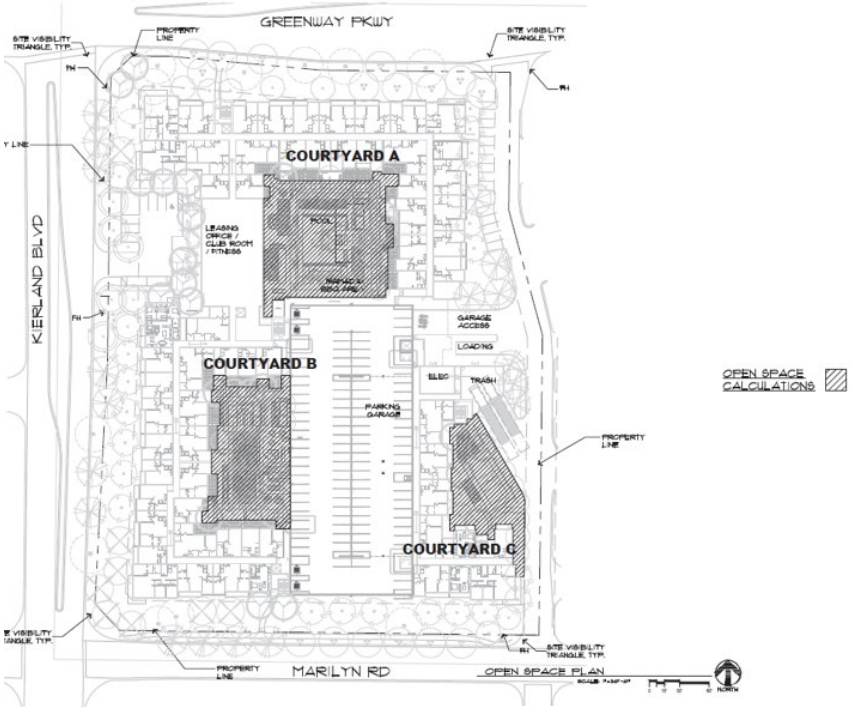
The PUD development narrative proposes development standards based on the CP/GCP Zoning District. These standards vary from the CP/GCP standards in relation to height, lot coverage, open space and building setbacks. All other development standards are comparable.

a. Maximum Residential Unit Count:	Maximum Dwellings	360 dwelling units
	Maximum Density	50.42 dwelling units per gross acre

b. Minimum Lot Width/Depth	No Minimum
c. Minimum Building Setbacks	**From Property Line**
North (Internal Property Line)	30 feet 6 inches
West (71st Street)	30 feet
South (Internal Property Line)	30 feet
East (Interior Property Line)	15 feet
d. Minimum Landscape Setbacks	
North (Internal Property Line)	30 feet
West (71st Street)	30 feet
South (Internal Property Line)	30 feet
East (Interior Property Line)	0 feet
e. Maximum Building Height	68 Feet
f. Maximum Lot Coverage	55 percent of Total Net Site Area
g. Open Space	Minimum 10 percent of gross site area

The proposed maximum height of the project is 68 feet. The CP/GCP standards allow a maximum height of 80 feet with a use permit. Staff is supportive of the additional height due to the design and placement of the building as well as comparable heights in the area.

The lot coverage proposed for the project is 55 percent. The CP/GCP standards require a maximum lot coverage of 50 percent. The additional lot coverage is offset by a generous open space standard of 26,000 square feet. The CP/GCP standards are silent on open space. Therefore, the open space proposed far exceed ordinance standards and will serve as an amenity to residents and visitors.



Open Space Plan, Source: Nelson Partners

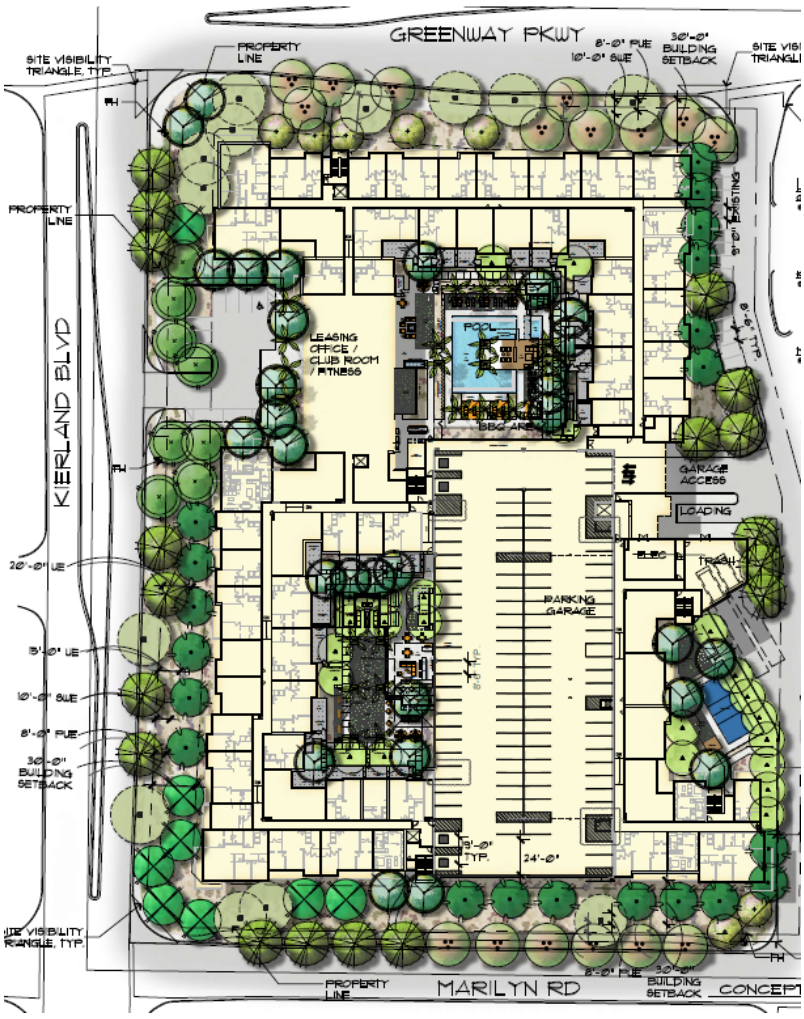
The proposed interior building setback is 15 feet where 0 feet is required in the CP/GCP district standards. A 30 foot building setback is proposed along Kierland

Boulevard, Greenway Parkway and Marilyn Road, which is comparable to the CP/GCP district requirements.

Landscape Standards

The PUD proposes landscaping along all sides of the building. The Development Narrative includes increased landscape setbacks adjacent to the street frontages. Minimum landscape setbacks of 30 feet will be provided along Kierland Boulevard, Greenway Parkway and Marilyn Road. These areas will incorporate a mixture of 1, 2 and 3 inch caliper trees in all landscape areas and shall utilize existing trees where possible. In addition to the trees, the developer shall install a minimum of 5 five-gallon drought tolerant shrubs per tree and 75 percent live ground cover.

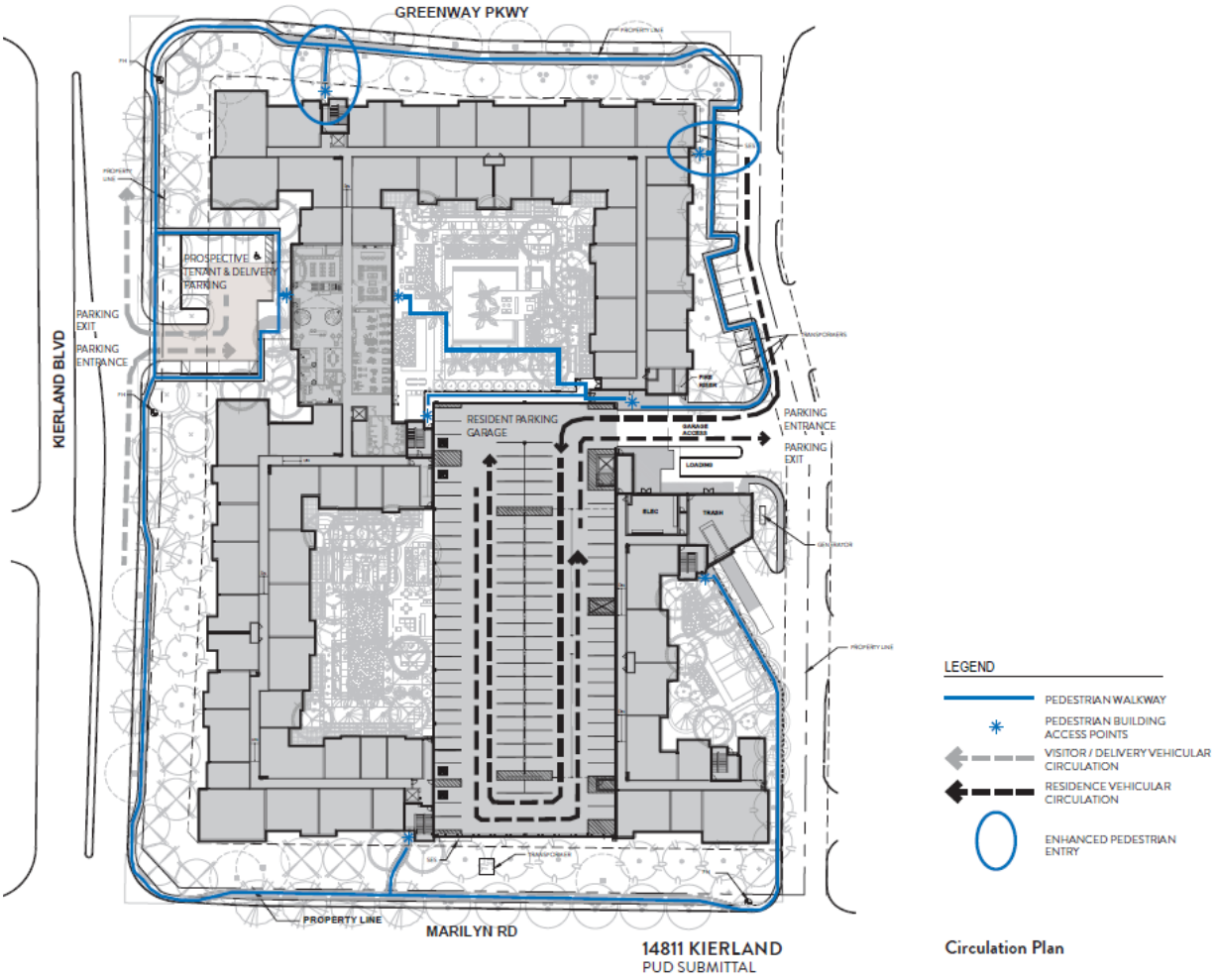
The streetscape along Greenway Parkway will include a minimum seven-foot wide detached sidewalk and a mixture of two-inch (60 percent) and three-inch (40 percent) caliper trees along the public rights-of-way. This exceeds minimum tree size requirements in the CP/GCP district. The landscaping will provide for a pedestrian-friendly environment with 75 and 50 percent shade at maturity along the sidewalks and pedestrian pathways. The PUD proposes landscaping along public sidewalks with a minimum planting size of 60 percent two-inch caliper trees, 40 percent three-inch caliper trees and 75 percent live ground cover adjacent to rights-of-way.



Conceptual Landscape Plan, Source: Collaborative Design Studio

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.



Circulation Plan, Source: Nelsen Partners

Design standards ensure that the building facade will contain 20 percent natural stone, 30 percent glazing, 25 percent masonry and 60 percent stucco as depicted in the graphic below. Elevations of the building will provide one private balcony per unit and building corners will provide a change in color or matterial from immediately adjacent building secttions on floors 1 through 4. The northwest corner will include a wrap around balcony as depicted in the graphic below. 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.

A minimum of 75 percent of the garage structure visible from the public right-of-way shall be wrapped by dwelling units. The remainder of the parking structure shall be screened with architectural material consistent with the primary building façade as outlined in the development narrative. 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: Nelsen Partners

Parking Standards

The proposed parking exceeds what is required by Section 702 of the zoning ordinance.

The PUD proposes a minimum of .25 bicycle space per unit with a maximum of 25 spaces and shall comply with Section 1307.H. of the City of Phoenix Zoning Ordinance.

Comparative Parking Standards Table

Unit Type	Ordinance Parking Requirement	Parking Provided
Studio (43 Units)	1.3 parking spaces per unit, or 56 spaces	
1 Bedroom (129 Units)	1.5 parking spaces per unit, or 194 spaces	
2 Bedroom (163 Units)	1.5 parking spaces per unit, or 245 spaces	
3 Bedroom (25 Units)	2 parking spaces per unit, or 50 spaces	
Total	545 Total Spaces	569 Total Spaces

Parking Standards, Source: Nelsen Partners

Fences/Walls
All site fences and walls will be consistent with Section 703.A of the Phoenix Zoning Ordinance. In addition, all screen walls shall include architectural detailing consistent or complementary to the building facade.

Amenities
The PUD proposes amenities intended for use by residents and guests to include a clubhouse no less than 9,000 square feet, fitness center no less than 1,800 square feet, fifth floor viewing deck, swimming pool or spa and at least three of the following:

- Lounge deck
- Shaded outdoor dining area
- Water features
- Barbeque grills
- Fire features
- Seating nodes

Shade
The proposed shade standards require that a minimum of 75 percent of shade cover be provided at maturity over public sidewalks and 50 percent shade coverage over private sidewalks.

Lighting Plan
All lighting will be consistent with the standards of Section 704 (Environmental Performance Standards) of the Phoenix Zoning Ordinance and Section 507 Tab A. and Section 23-100 of the City Code.

Signage
The proposed sign standards shall comply with Section 705.C.6 of the City of Phoenix Zoning Ordinance.

Sustainability
The Development Narrative proposes several options to incorporate sustainability principals including drought tolerant landscaping, LED landscape and exterior building lighting, and recycling receptacles. The project also proposes retaining established tree where possible along Greenway Parkway and Marilyn Roads, where possible and the utilization of low flow water fixtures.

PUD Compatibility to Zoning Ordinance

The PUD proposes building setbacks that are comparable or greater than what is required by the Phoenix Zoning Ordinance in the CP/GCP zoning district. The interior setbacks are proposed at 15 feet, where the zoning ordinance is 0 feet and the street setbacks are proposed at 30 feet where the zoning ordinance requires a 30 foot setback along the perimeter of Commerce Park zoning and 20 feet on the interior. All property boundaries adjacent to public streets will include enhanced landscaping with 7 foot and 5 foot wide detached sidewalks. Shade at 75 percent coverage at maturity will be provided to increase pedestrian comfort and activity. The open space standards are greater, requiring a minimum of 26,000 square feet or a minimum of 10 percent of the total gross site area where the CP/GPC code section does not require open space. The PUD landscape setbacks proposed are comparable or greater compared to the minimum requirement of the Phoenix Zoning Ordinance and require that 60 percent of trees be a minimum of 2-inch caliper and 40 percent be 3-inch caliper planted along all public rights-of-way to include Kierland Boulevard, Marilyn Road and Greenway Parkway.

Phasing

The project will be constructed in one phase.

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 walking paths, 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 adjacent to the public streets and multiuse pathways throughout the site which provides 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.



Source: Dero

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.

COMMUNITY INPUT SUMMARY

12. At the time the staff report was written, staff has not received any community correspondence since the application was submitted.

INTERDEPARTMENTAL COMMENTS

13. The Street Transportation Department has proposed stipulations requiring that all streets within and adjacent to the development, shall be constructed with all mandatory elements. All improvements shall meet ADA requirements. No preliminary approval of plans shall be granted until a Traffic Impact Study/Statement is reviewed and approved by the City. These are addressed in Stipulation Nos. 2 and 3.

14. The City of Scottsdale Aviation Department expressed concern with the location of this project as it relates to the airports flight paths and the 55 and 60 DNL noise contours of Scottsdale Airport. The City of Scottsdale comments and proposed stipulations were provided to the City of Phoenix Aviation Department for review.

15. The City of Phoenix Aviation Department has noted that the site is within the Scottsdale Municipal Airport (SDL) traffic pattern airspace, therefore, the developer shall provide notice to prospective purchasers of the existence and operation characteristics of the Scottsdale Airport and shall provide documentation that Form 7460-1 from the FAA. The requirements are addressed in Stipulation Nos. 4 and 5.

16. 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.

17. The City of Phoenix Floodplain Management division of the Public Works Department has determined that this parcel is not in a Special Flood Hazard Area (SFHA), but is located in a Shaded Zone X, on panel 1760 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013.

18. The City of Phoenix 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. 6.

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 proposed development contains enhanced standards that will result is a more walkable, shaded and pedestrian-friendly environment.

2. The proposed development will provide additional housing options close to employers a designated Major Employment Center.

3. The development will provide increased shade which will help to reduce the urban heat island effect.

Stipulations

1. An updated Development Narrative for the RD 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 March 15, 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: November 18, 2020
    2nd Submittal: January 29, 2021
    Hearing Draft: March 15, 2021
    City Council adopted: TBD

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 submit a Traffic Impact Study (TIS) to the City for this development. No preliminary approval of plans shall be granted until the study had been reviewed and approved by the City. Additional off-site improvements and right-of-way dedications may be required as identified in the approved traffic study. Development shall be responsible for the cost associated with these improvements and dedications.

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.

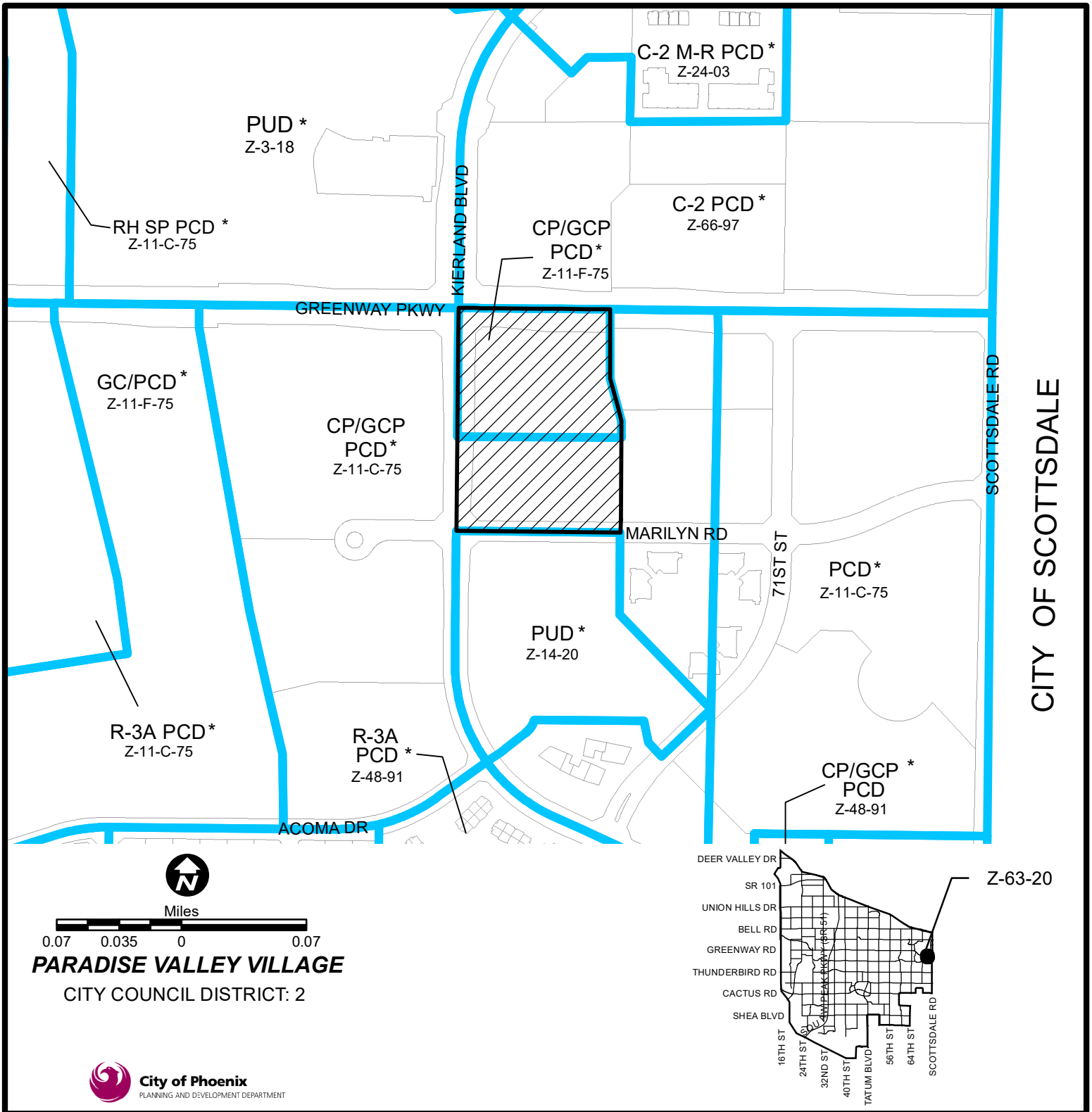
5. The developer shall provide documentation to the City of Phoenix prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a “No Hazard Determination” from the FAA. If temporary equipment used during construction exceeds the height of the 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.

Writer
David Simmons
March 26, 2021

Team Leader
Samantha Keating

Exhibits
Zoning Sketch Map
Zoning Aerial Map
RD Kierland PUD Development Narrative date stamped March 15, 2021



PARADISE VALLEY VILLAGE

CITY COUNCIL DISTRICT: 2

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME:	Trey Brandt, RD Kierland
APPLICATION NO.	Z-63-20
DATE:	11/23/2020
REVISION DATES:	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.	7.14 Acres
AERIAL PHOTO & QUARTER SEC. NO.	QS 34-44
ZONING MAP	L-12

REQUESTED CHANGE:

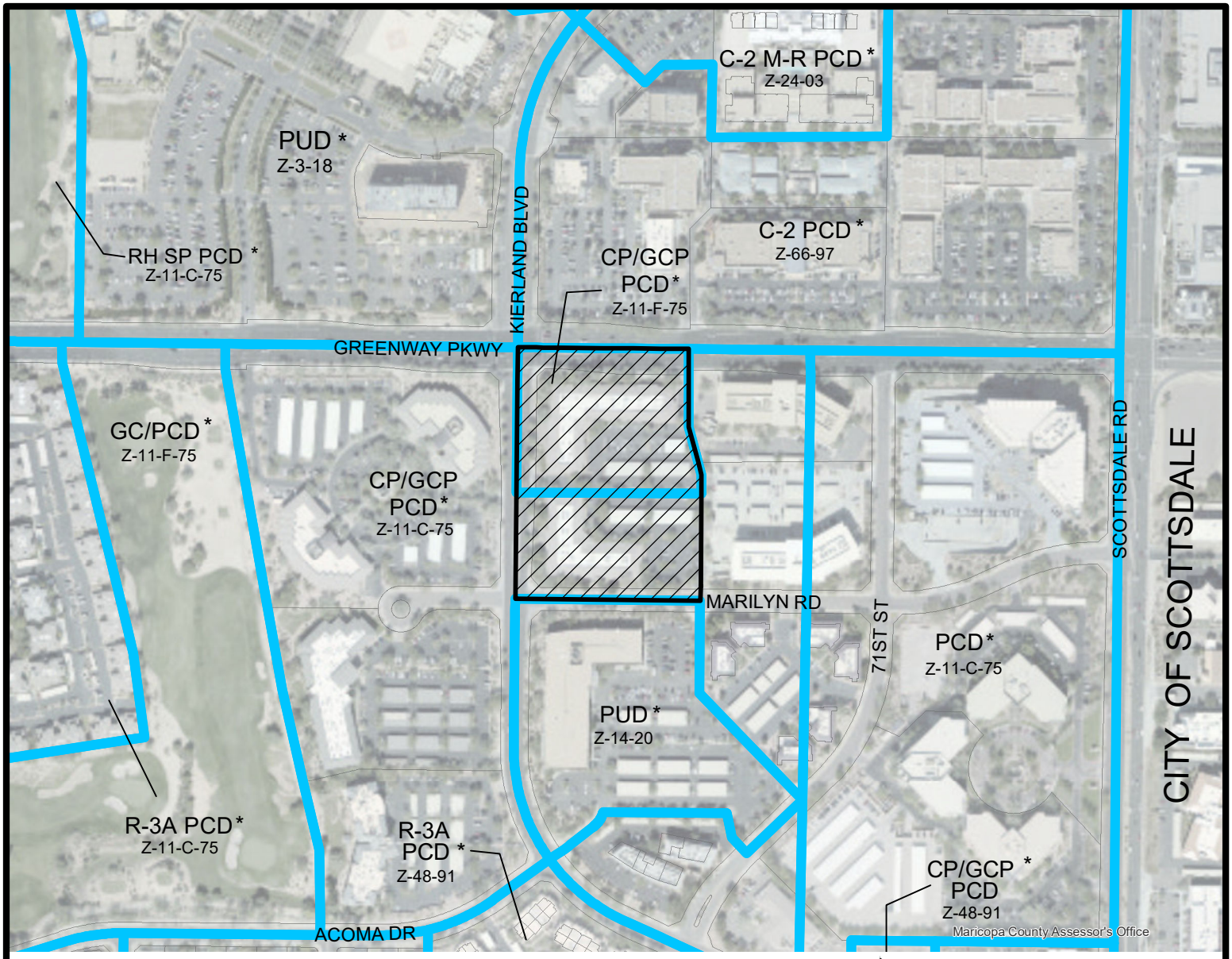
FROM: CP/GCP PCD (7.14 a.c.)

TO: PUD (7.14 a.c.)

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
CP/GCP PCD	N/A	N/A
PUD	360	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\2020\Z-63-20.mxd

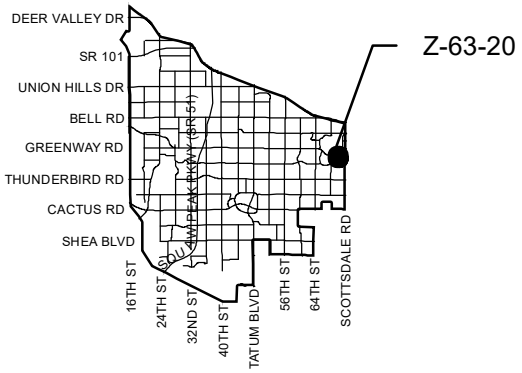


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PARADISE VALLEY VILLAGE

CITY COUNCIL DISTRICT: 2



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME: Trey Brandt, RD Kierland	**REQUESTED CHANGE:**
APPLICATION NO. Z-63-20	DATE: 11/23/2020
	REVISION DATES:
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 7.14 Acres	AERIAL PHOTO & QUARTER SEC. NO. QS 34-44 / ZONING MAP L-12
	FROM: CP/GCP PCD (7.14 a.c.)
	TO: PUD (7.14 a.c.)

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
CP/GCP PCD	N/A	N/A
PUD	360	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\2020\Z-63-20.mxd

Paradise Valley
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-63-20-2
INFORMATION ONLY

Date of VPC Meeting	February 1, 2021
Request From	CP/GCP PCD
Request To	PUD
Location	Southeast corner of Kierland Boulevard and Greenway Parkway

VPC DISCUSSION:

Cases GPA-PV-1-20-2 and Z-63-20-2 were heard concurrently.

Mr. Nick Wood, with Snell & Wilmer, representing the applicant, went over the General Plan Land Use Map designation for the site and surrounding area. He went over the surrounding zoning designations and shared that this proposal or a mid-rise commercial building were the only two project types that would be suitable for the site. Mr. Wood shared a conceptual site plan in the presentation and went over specific site details to include a wrapped parking structure, ingress and egress points, landscaping, interior amenity areas, height and unit count. He also went over a comparative development standards table.

Vicechair Joe Lesher shared concerns about pedestrians crossing the street to the north.

Mr. Wood shared that no crosswalks were proposed along Greenway Parkway.

Paradise Valley
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-63-20-2

Date of VPC Meeting	April 5, 2021
Request From	CP/GCP PCD
Request To	PUD
Location	Southeast corner of Kierland Boulevard and Greenway Parkway

VPC DISCUSSION:

Cases GPA-PV-1-20-2 and Z-63-20-2 were heard concurrently.

The Planning Commission will consider this request on May 6, 2021

Mr. David Simmons, staff, went over the General Plan Amendment request as well as the rezoning case. Be shared that the character of the area did not develop as originally envisioned back in the 1970's as Industrial, but instead, has developed with high end residential and commercial uses in a highly desirable area of the city. He went over the existing General Plan Land Use Map designations in the surrounding area, the current and proposed zoning designation on the site and surrounding area and tied the staff recommendation to several policy plans such that helped to formulate support for the case at a staff level. He shared several stipulations and asked if the committee had any questions for staff.

Ms. Toby Gerst asked who was authorized to submit the General Plan Amendment request.

Mr. Simmons shared that the owner signed an ownership authorization form as part of the submittal requirements.

Applicants Presentation:

Mr. Nick Wood, with Snell & Wilmer, representing The Related Group, shared an in-depth presentation with the committee. He went over the history of the site, the current and proposed General Plan Land Use Maps designation on the site and the existing and proposed zoning designations on the site. He also shared that the City of Phoenix currently has a housing shortage and this area is highly desirable as it is in a major employment center that is continuing to expand. Mr. Wood shared the parking requirements for the proposal, went over the conceptual site plan and elevations and highlighted the auto court area on the west side of the property. Further, Mr. Wood expanded on the enhanced

development standards being offered as part of the proposal, showing how the project goes above and beyond the underlying zoning designation.

Public Comment:

None

Applicants Response:

None

Committee Discussion:

Mr. Alex Popovic asked if the current zoning was Industrial.

Mr. Wood shared that the current zoning is CP/GCP, but the current General Plan Land Use Map designation is Industrial.

MOTION:

Ms. Jennifer Hall made a motion to recommend approval of Rezoning Case No. Z-63-20-2, per the staff recommendation.

Mr. Robert Goodhue seconded the motion.

VOTE:

13-0 with committee members Balderrama, Cantor, Cashman, Gerst, Goodhue, Hall, Maggiore, Popovic, Sparks, Ward, Wise, Gubser and Lesher in favor.

Attachment E

REPORT OF PLANNING COMMISSION ACTION
May 6, 2021

ITEM NO: 7	
	DISTRICT NO.: 2
SUBJECT:	
Application #:	**Z-63-20-2 (Companion Case GPA-PV-1-20-2) (RD Kierland PUD)**
Location:	Southeast corner of Kierland Boulevard and Greenway Parkway
From:	CP/GCP PCD
To:	PUD
Acreage:	7.14
Proposal:	Planned Unit Development for multifamily residential and commercial uses.
Applicant:	Trey Brandt, RD Kierland
Owner:	York Street Inn, Inc.
Representative:	Nick Wood, Esq., Snell & Wilmer, LLP

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:
Paradise Valley 2/1/2021 Information only.
Paradise Valley 4/5/2021 Approval, per the staff recommendation. Vote: 13-0.

Planning Commission Recommendation: Approval, per the Paradise Valley Village Planning Committee recommendation, with an additional stipulation.

Motion Discussion: N/A

Motion details: Commissioner Howard made a MOTION to approve Z-63-20-2, per the Paradise Valley Village Planning Committee recommendation, with the additional stipulation as read into the record.

Maker: Howard
Second: Mangum
Vote: 9-0
Absent: None
Opposition Present: One registration in opposition; however, they were not present in the meeting.

Findings:

1. The proposed development contains enhanced standards that will result in a more walkable, shaded and pedestrian-friendly environment.

2. The proposed development will provide additional housing options close to employers in a designated Major Employment Center.

3. The development will provide increased shade which will help to reduce the urban heat island effect.

Stipulations:

1. An updated Development Narrative for the RD 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 March 15, 2021, as modified by the following stipulations:

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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 submit a Traffic Impact Study (TIS) to the City for this development. No preliminary approval of plans shall be granted until the study had been reviewed and approved by the City. Additional off-site improvements and right-of-way dedications may be required as identified in the approved traffic study. Development shall be responsible for the cost associated with these improvements and dedications.

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.

This publication can be made available in alternate format upon request. Please contact Tamra Ingersoll at (602) 534-6648, TTY use 7-1-1.

Attachment F

From: PDD Planning Commission
Subject: FW: Planning Commission meeting, May 6

From: Amy Satterfield <mamsat5@cox.net>
Sent: Thursday, May 6, 2021 4:32 PM
To: PDD Planning Commission <pdd.planningcomm@phoenix.gov>
Subject: Re: Planning Commission meeting, May 6

I just wanted to publicly go on record that the developer has demonstrated a willingness to work with the neighborhood and has agreed to fund a comprehensive traffic study for the entire Kierland area. This is something the City of Phoenix wouldn't be able to fund otherwise and will greatly benefit the area moving forward.

Amy
mamsat5@cox.net

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 123

Public Hearing and Ordinance Adoption - Rezoning Application Z-61-20-8 - Northeast Corner of 16th Street and Chipman Road (Ordinance G-6864)

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-61-20-8 and rezone the site from R1-6 SPVTABDO (Single-Family Residence District, South Phoenix Village and Target Area B Design Overlay) and R-5 SPVTABDO (Multifamily Residence District, South Phoenix Village and Target Area B Design Overlay) to C-1 SPVTABDO (Neighborhood Retail, South Phoenix Village and Target Area B Design Overlay) to allow multifamily or single-family residential. This file is a companion case to Z-62-20-8 and should be heard first, followed by Z-62-20-8.

Summary

Current Zoning: R1-6 SPVTABDO and R-5 SPVTABDO
Proposed Zoning: C-1 SPVTABDO
Acreage: 2.50
Proposed Use: Multifamily or single-family residential

Owner/Applicant: Ran Edelman
Representative: John Connelly

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The South Mountain Village Planning Committee heard this case on March 9, 2021 and recommended a continuance to April 13, 2021, by a vote of 16-3.
PC Action: The Planning Commission heard this case on April 1, 2021 and recommended approval, per the staff recommendation with an additional stipulation, by a vote of 8-0.

Location

Northeast corner of 16th Street and Chipman Road
Council District: 8
Parcel Address: No address

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-61-20-8) FROM R1-6 SPVTABDO (SINGLE-FAMILY RESIDENCE DISTRICT, SOUTH PHOENIX VILLAGE AND TARGET AREA B DESIGN OVERLAY) AND R-5 SPVTABDO (MULTIFAMILY RESIDENCE DISTRICT, SOUTH PHOENIX VILLAGE AND TARGET AREA B DESIGN OVERLAY) TO C-1 SPVTABDO (NEIGHBORHOOD RETAIL DISTRICT, SOUTH PHOENIX VILLAGE AND TARGET AREA B DESIGN OVERLAY).

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

SECTION 1. The zoning of a 2.50-acre site located at northeast corner of 16th Street and Chipman Road in a portion of Section 27, Township 1 North, Range 3 East, as described more specifically in Exhibit “A”, is hereby changed from 1.72 acres of “R1-6 SPVTABDO” (Single-Family Residence District, South Phoenix Village and Target Area B Design Overlay) and 0.78-acres of “R-5 SPVTABDO” (Multifamily Residence District, South Phoenix Village and Target Area B Design Overlay) to “C-1 SPVTABDO” (Neighborhood Retail District, South Phoenix Village and Target Area B Design Overlay) to allow multifamily or single-family residential.

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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. 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, to provide a decorative and aesthetic treatment.

    b. Building elevations adjacent and oriented towards 16th Street and the south property line, excluding drive aisles, shall contain a minimum of 25 percent brick, masonry, stone or another exterior accent material that exhibits quality and durability.

    c. All building elevations shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, pitched roofs and/or overhang canopies.

2. Building height shall be limited to two stories and 30 feet.

3. Individual units shall provide an entryway that is either elevated, depressed or includes a feature such as a low wall to accentuate the primary entrance, as approved by the Planning and Development Department.

4. There shall be no balconies on the upper floors of residential dwellings oriented towards the eastern property line.

5. The development shall provide a minimum 300-square foot ornamental feature along the northeast corner of 16th Street and Chipman Road or the Chipman Road alignment to include the following elements, as approved by the Planning and Development Department:

    a. A landscaped accent area, exclusive of perimeter landscaping and right-of-way, shall be provided. The landscaped accent areas shall

DRAFT

provide a visually unique character with drought-tolerant plant materials providing seasonal interest and 75 percent live cover.

b. The entry feature shall incorporate elements that may include, but are not limited to walls, architectural enhancements, art features, natural features such as boulders or fountains, or other uniquely identifying elements.

c. The entry feature shall utilize accents, colors and materials consistent with the adjacent development.

d. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions.

6. All perimeter walls visible from public streets 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.

7. The development shall include the following amenities and elements at a minimum, distributed between the open space area (s), as approved by the Planning and Development Department:

a. Two barbecue grills and two picnic tables.

b. Community garden areas of no less than a combined 200 square feet that will include a garden tool library, irrigation, and one bench or seating feature to enable year-round planting.

c. One pedestrian seating node containing at least one bench or seating feature and located within close proximity to Chipman Road or Chipman Road alignment.

d. Open space areas shall provide a minimum 50 percent shade, including amenity and seating areas, and a minimum of 50 percent live vegetative cover (shrubs, grasses, or groundcover plants).

8. The developer shall provide a system of pedestrian thoroughfares as described below and as approved or modified by the Planning and Development Department:

a. The developer shall provide a minimum of one pedestrian path connecting the sidewalk along 16th Street with residential units along the eastern property line via the most direct route.

b. Illuminated by pedestrian scale lighting per Section 1304(H)5 for the pathway connecting the site east to west.

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c. Where pedestrian paths and vehicular crossings exist, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces. Vehicular crossings shall be kept to a minimum.

d. Pedestrian paths shall be shaded to a minimum of 75 percent using architectural shade and/or shade trees at full maturity.

e. Connections to/between:

(1) All residential dwellings;

(2) All amenity and active open space areas;

(3) The sidewalk along 16th Street;

(4) The sidewalk along Chipman Road or Chipman Road alignment;

f. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

9. The developer shall provide traffic calming measures at all vehicular points of ingress and/or egress to slow vehicles departing the development and crossing the public sidewalks, as approved by the Planning and Development Department.

10. The required landscape setback areas along 16th Street, Chipman Road, and the alley along the east property line shall be planted with drought-tolerant trees including minimum 75 percent 2-inch caliper and 25 percent 3-inch caliper, if the site develops as a residential use, as approved by the Planning and Development Department.

11. All sidewalks along 16th 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. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

a. Minimum 2-inch caliper large canopy shade trees placed a minimum of 25 feet on center or equivalent groupings to provide shade to a minimum 75 percent at full maturity.

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b. Drought tolerant vegetation designed to grow to a maximum mature height of 24 inches and achieve 75 percent live coverage.

12. The developer shall dedicate 50 feet of right-of-way for the east side of 16th Street and provide a detached sidewalk as required by Cross Section D, as approved by the Planning and Development Department.

13. The Developer shall remove the existing driveway along 16th Street and construct a public street connection for Chipman Road.

14. The developer shall dedicate 25 feet of right-of-way for the north half of Chipman Road transitioning to a total 50-foot dedication to match the existing Chipman Road on the east side of the property.

15. The developer shall dedicate 6 feet along the alley on the eastern side of the development, as approved by the Planning and Development Department.

16. 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.

17. The developer shall record a Notice of Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property.

18. 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.

19. If determined necessary by the Phoenix Archeology 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 Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

20. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.

21. 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.

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22. 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 5th day of May, 2021.

_____
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)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-61-20-8

That portion of the Northwest quarter of Section 27, Township 1 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at a point on the West line of said Northwest quarter of Section 27, from which the Southwest corner of said Northwest quarter of Section 27 bears South 1254.44 feet and the Northwest corner of said Section 27 bears North 1383.96 feet;

Thence East 616.28 feet;

Thence South 176.71 feet;

Thence West 616.28 feet to a point on the West lien of said Northwest quarter of Section 27;

Thence North along said West line of the Northwest quarter of Section 27, a distance of 176.71 feet to the POINT OF BEGINNING;

EXCEPT the West 40 feet for road.

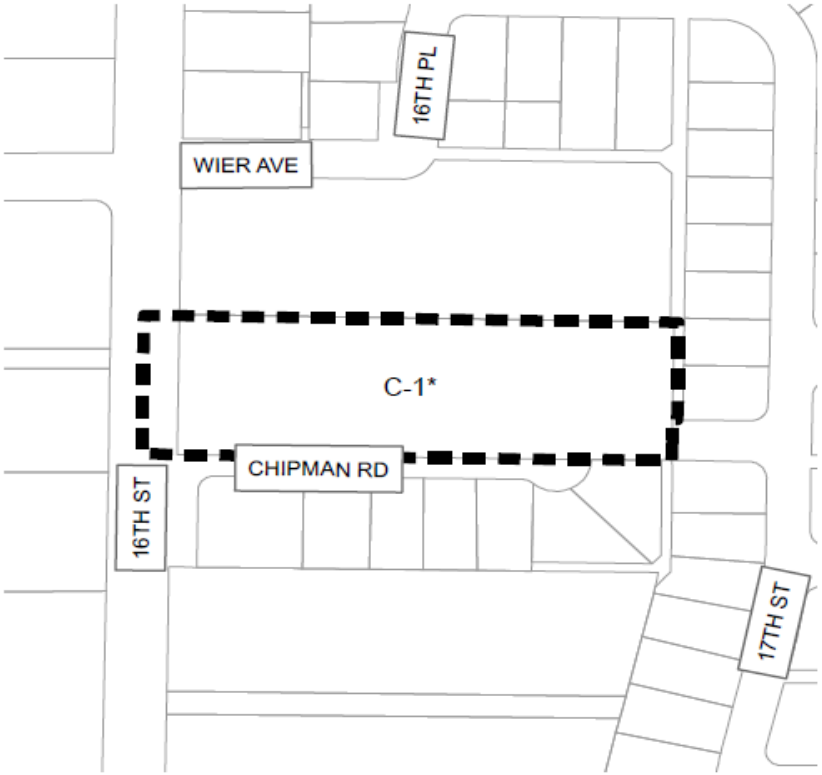
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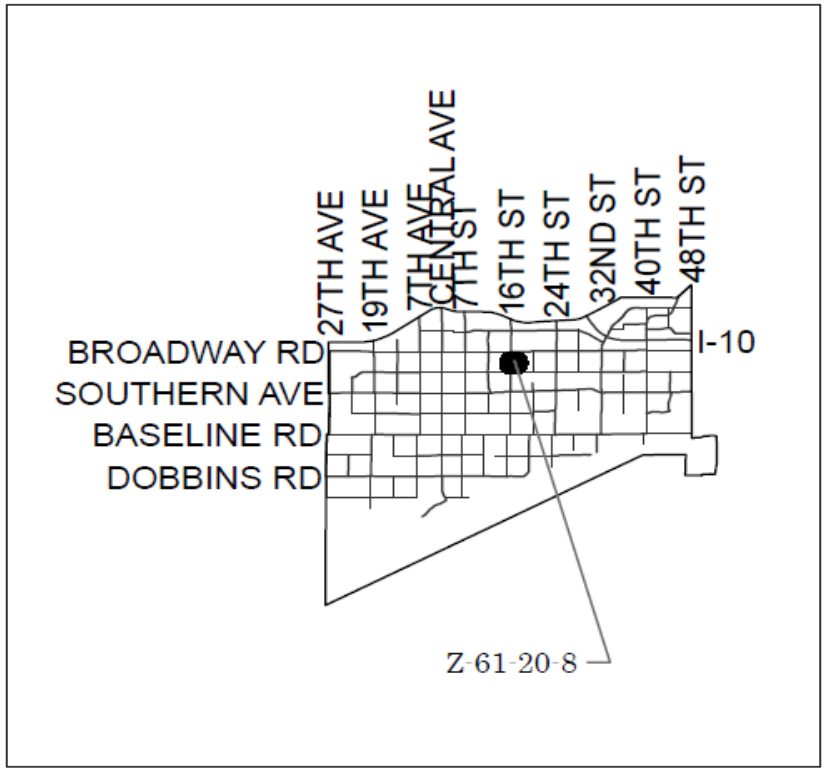
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-61-20-8
Zoning Overlay: South Phoenix Village & Target Area B Design Overlay District
Planning Village: South Mountain





NOT TO SCALE

N

Drawn Date: 3/24/2021

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Attachment B

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-61-20-8 and Z-62-20-8
March 4, 2021

South Mountain Village Planning Committee Meeting Date:	March 9, 2021
Planning Commission Hearing Date:	April 1, 2021
Request From (Z-61-20-8):	R1-6 SPVTABDO (Single-Family Residence District, South Phoenix Village Target Area B Design Overlay) (1.72 acres) and R-5 SPVTABDO (Multifamily Residence District, South Phoenix Village Target Area B Design Overlay) (0.78 acres)
Request To (Z-61-20-8)	C-1 SPVTABDO (Neighborhood Retail, South Phoenix Village Target Area B Design Overlay District) (2.50 acres)
Request From (Z-62-20-8):	R1-6 SPVTABDO, pending C-1 SPVTABDO (Single-Family Residence District, South Phoenix Village Target Area B Design Overlay, pending Neighborhood Retail, South Phoenix Village Target Area B Design Overlay) and R-5 SPVTABDO, pending C-1 SPVTABDO (Multifamily Residence District, South Phoenix Village Target Area B Design Overlay, pending Neighborhood Retail, South Phoenix Village Target Area B Design Overlay) (2.50 acres)
Request To (Z-62-20-8):	C-1 DNS/WVR SPVTABDO (Neighborhood Retail, Density Waiver, South Phoenix Village Target Area B Design Overlay District) (2.50 acres)
Proposed Use:	Single-family attached residential
Location:	Northeast corner of 16th Street and Chipman Road
Owner / Applicant:	Ran Edelman

Representative: John Connelly

Staff Recommendation: Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation	Mixed Use (Commercial/Commerce/ Business Park)		
Street Map Classification	16th Street	Arterial Street	40-foot east half street
	Chipman Road	Local Street	0-foot north half street (not dedicated)

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CLEAN NEIGHBORHOODS; Facilitate the acquisition of vacant, underutilized and blighted parcels for appropriate redevelopment, compatible with the adjacent neighborhood character and adopted area plans.

The proposed development would add attached single-family residential homes on a vacant underutilized site at a scale that is compatible with the surrounding land uses and appropriate considering its location next to an arterial street where alternative transportation routes exist. The requested C-1 DNS/WVR zoning and proposed single-family attached use is also consistent with the "Mixed Use" land use designation in the Target Area B Redevelopment Plan.

CONNECT PEOPLE AND PLACES CORE VALUE ; COMPLETE STREETS; DESIGN PRINCIPLE: 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.

The proposal, as stipulated, provides a system of lit and shaded pedestrian pathways that connects residential units with adjacent streets and amenities, encouraging pedestrian connectivity. The site is also located within close proximity to 16th Street, served by a public bus service that provides alternative transportation routes which connect to employment areas near the Phoenix Sky Harbor Airport. Furthermore, a seating amenity along the Chipman Road alignment, will provide a place to rest for pedestrians walking along this corridor.

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 development, as stipulated, provides a reasonable level of intensity that is respectful to local conditions by mitigating potential impacts to the nearby single-family residential neighborhood with building height and balcony limitations plus landscaping enhancements.

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, as stipulated, will be required to provide shade along the adjacent sidewalks, pedestrian paths connecting the development to adjacent streets and amenity areas. 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

Target Area B Redevelopment 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	Vacant / Undeveloped	R1-6 and R-5
North	Church	R1-6 and R-5
South (across Chipman Road)	Restaurant, single-family residential and vacant/undeveloped	C-2 and R1-6
East	Single-family residential	R1-6
West (across 16th Street)	Warehouse/office, vacant, and auto sales	Industrial Park, C-1, and C-2 SP

C-1 DNS/WVR SPVTABDO (R-3 Development Standards – Single-Family Attached Development option)**		
Standards	**R-3 Requirements**	**Provisions on the proposed site plan**
Gross Acreage	-	2.5 acres
Total Maximum Number of Units	38, up to 43 with bonus.	40 units (Met)**
Maximum Density	Maximum 15.23 dwelling units per acre, up to 17.40 with bonus.	16 dwelling units per acre (Met)**
Maximum Lot Coverage	100%	40% (Met)

Maximum Building Height	4 stories or 48 feet maximum as follows: 3 stories or 40 feet for first 150 feet; building height may be increased by 1 foot with a 1 foot of increased building setback, to a maximum of 4 stories or 48 feet. 15 foot maximum height is permitted within 10 feet of a single-family zoned district; building height may be increased by 1 foot for every 1 foot of increased building setback.	Maximum of 2 stories and 28 feet. (Met)
MINIMUM BUILDING SETBACKS		
Units fronting street rights-of-way	16th Street: 10 feet	Not specified
Perimeter property lines	North: 10 feet East: 10 feet	North: 10 feet (Met) East: 24 feet (Met)
Units siding rights-of-way	Chipman Road (South): 15 feet	Chipman Road (South): 17 feet (Met)
MINIMUM LANDSCAPE SETBACKS AND STANDARDS		
Residences that front an arterial, collector, or local street rights-of-way	16th Street: 10 feet	Not specified
Residences that side an arterial, collector, or local street rights-of-way	Chipman Road (South): 15 feet	Chipman Road: 17 feet (Met) (Trash enclosures and parking stalls are typically not permitted within landscape setbacks as shown in the conceptual site plan)*

Perimeter of the development not abutting right-of-way, but adjacent to a single-family residential district: North (east portion) and east property lines	North (east portion): 10 feet East: 10 feet	North (east portion): 10 feet (Met) East: Not specified*
Perimeter of the development not abutting right-of-way, and not adjacent to a single-family residential district: North (west portion)	North (west portion): 5 feet	North (west portion): 10 feet (Met)
Minimum Open Space	5% of gross site area	Not specified*
Minimum Amenities Provided	No minimum	Not specified*
MINIMUM PARKING REQUIREMENTS		
Parking	2 covered parking spaces per unit, and 0.25 unreserved guest parking spaces per unit.	80 parking spaces inside garages (2 per home) and 10 parking spaces for guests. (Met)

*Site plan revision or variance required.
** The C-1 zoning district allows single-family attached subject to a use permit within areas designated on the Infill Development District map (Section 608.F.8 of the Zoning Ordinance), following the density of the R-3 zoning district. Increased density may be permitted through a wavier up to the R-5 standards. The single-family attached development standards do not change between the R-3 and R-5 zoning districts as part of the Density Waiver.

Background/Issues/Analysis

SUBJECT SITE

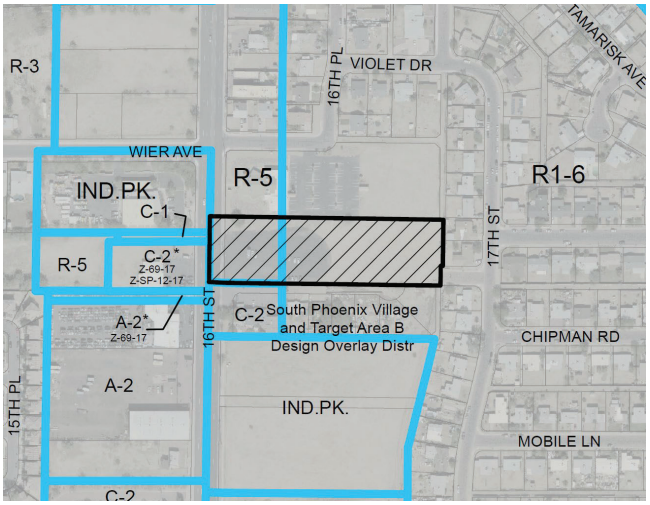
1. This request is to rezone 2.50 acres at the northeast corner of 16th Street and Chipman Road from R1-6 SPVTABDO (Single-Family Residence District, South Phoenix Village Target Area B Design Overlay) and R-5 SPVTABDO (Multifamily Residence, South Phoenix Village Target Area B Design Overlay District) to C-1 DNS/WVR SPVTABDO (Neighborhood Retail, Density Waiver, South Phoenix Village Target Area B Design Overlay District) for a single-family attached

residential use. Rezoning case Z-61-20-8 requests rezoning from R1-6 SPVTABDO and R-5 SPVTABDO to C-1 SPVTABDO (Neighborhood Retail, South Phoenix Village Target Area B Design Overlay) while rezoning case Z-62-20-8 requests the property to be rezoned from C-1 SPVTABDO to C-1 DNS/WVR SPVTABDO (Neighborhood Retail, Density Waiver, South Phoenix Village Target Area B Design Overlay) to allow additional density beyond the R-3 standards. The site is presently vacant and undeveloped.

Since the two rezoning cases pertain to the same property, intended to be developed with the same land use, the rezoning case stipulations recommended by staff for case Z-61-20-8 were also included for case Z-62-20-8. Rezoning case Z-62-20-8 has an additional stipulation that limits the maximum density to a maximum of 40 dwelling units.

SURROUNDING LAND USES AND ZONING

2. The surrounding area contains a variety of residential, commercial and industrial zoning districts including R1-6 (Single-Family Residence District), R-5 (Multifamily Residence District), C-1 (Neighborhood Retail District), C-2 (Intermediate Commercial District), C-2 SP (Intermediate Commercial, Special Permit District), Ind. Pk. (Industrial Park District) and A-2 (Industrial District). The surrounding area is also within the South Phoenix Village Target Area B Design Overlay District, which contains design criteria applicable to one and two dwelling unit developments.

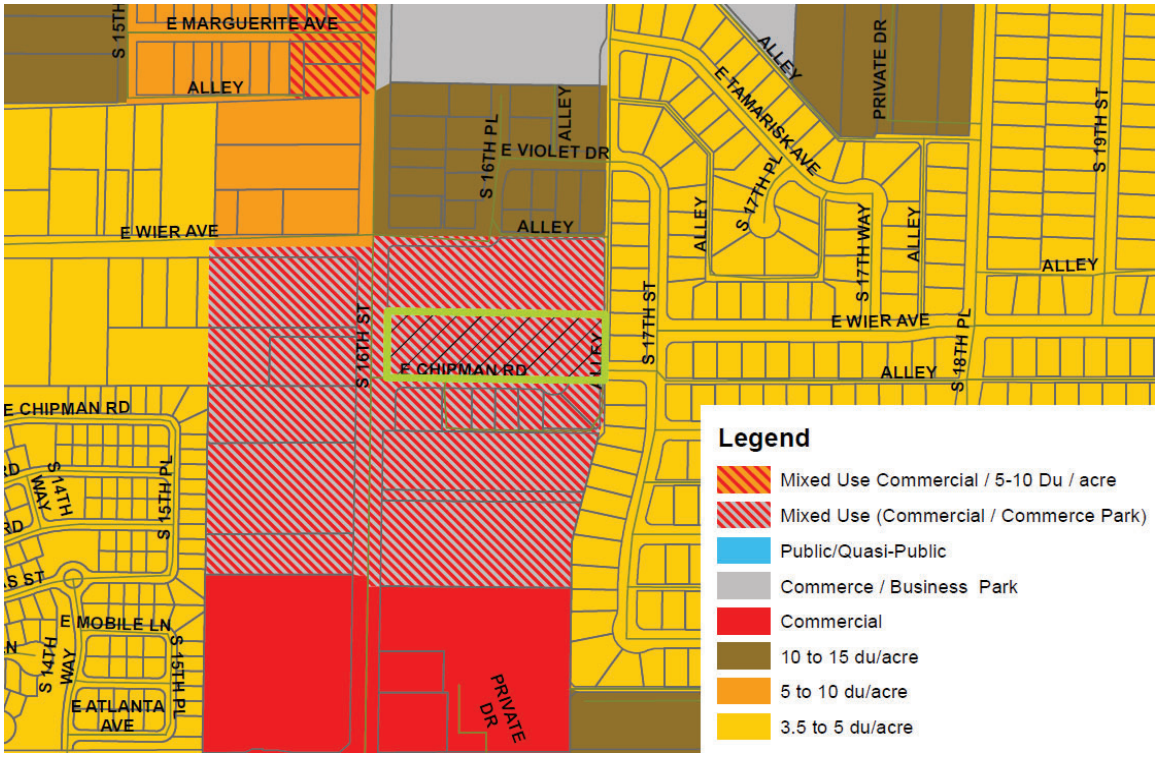


Zoning Aerial Map, Source: Planning and Development Department

GENERAL PLAN LAND USE MAP DESIGNATIONS

3. The General Plan Land Use Map designation for the subject site is a mix of Commercial and Commerce/Business Park. North and south of the site are properties also designated Commercial and Commerce/Business Park. Properties west of 16th Street across the site are also designated as Commercial and Commerce/Business Park. East of the subject site are single-family residential properties designed as Residential 3.5 to 5 dwelling units per acre on the General Plan Land Use Map.

   The C-1 DNS/WVR SPVTABDO zoning requested is consistent with the General Plan Land Use Map designation and compatible with existing and future envisioned land uses in the area.



General Plan Land Use Map, Source: Planning and Development Department

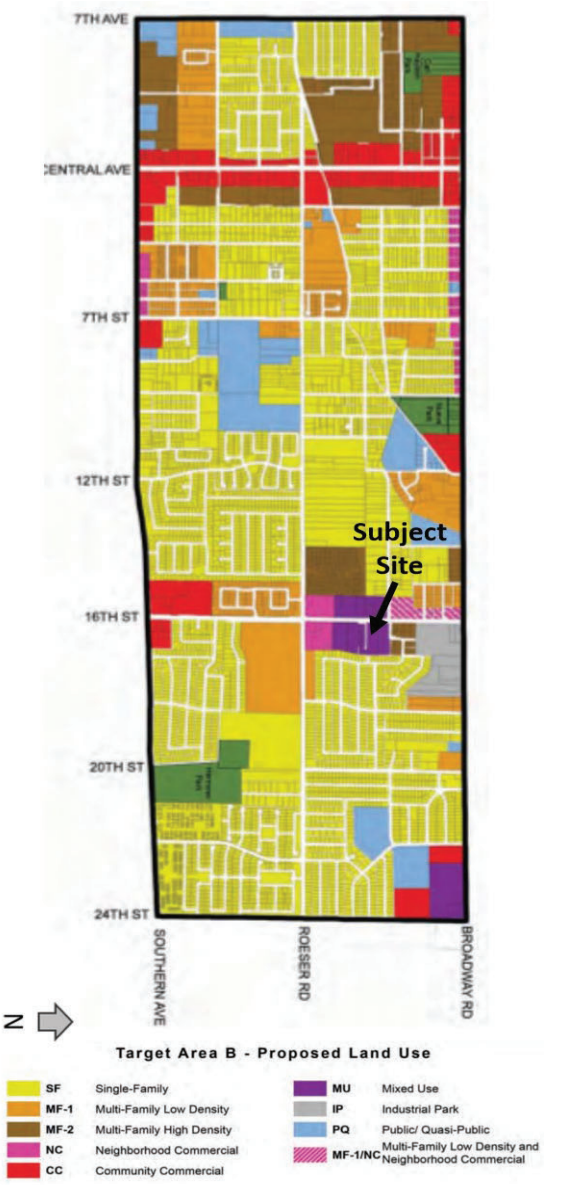
4. **Target Area B Redevelopment Plan**

The Target Area B Redevelopment Plan was adopted in 1980, updated in 2016, for the stabilization, development and redevelopment of the Target Area B bounded by Broadway Road (north), Southern Avenue (south), 24th Street (east) and 7th Avenue (west).

The Target Area B Redevelopment Plan seeks to accomplish this vision through nine redevelopment goals that include:

1. Stabilize declining residential neighborhoods;
2. Eliminate environmental deficiencies;
3. Remove impediments to land disposition;
4. Low- and moderate-income housing units;
5. Appropriate population densities;
6. Housing units for those households displaced;
7. Adequate public services and facilities;
8. Location and design of transportation routes;
9. Create a sense of community (live, work and play);

The proposed development is located centrally within the Target Area B boundaries and proposes both a zoning district and a land use that is consistent with the Target Area B Proposed Land Use map designation of “Mixed Use.”



Target Area B Proposed Land Use map, Source: Planning and Development Department

This land use classification allows for medium to high density residential, neighborhood commercial and industrial uses.

Furthermore, the Target Area B Redevelopment Plan states that housing stock should consist of a range of housing types that meet a wide variety of needs, inclinations and economic circumstances. These housing types include single-family detached and semi-detached, multifamily apartments, units with several bedrooms, housing with little land area per dwelling unit, among other types. The proposed single-family attached use for this property meets the vision of the Target Area B Redevelopment Plan and establishes a new residential product type in an area that is predominantly single-family detached, allowing for new housing opportunities.

PROPOSAL

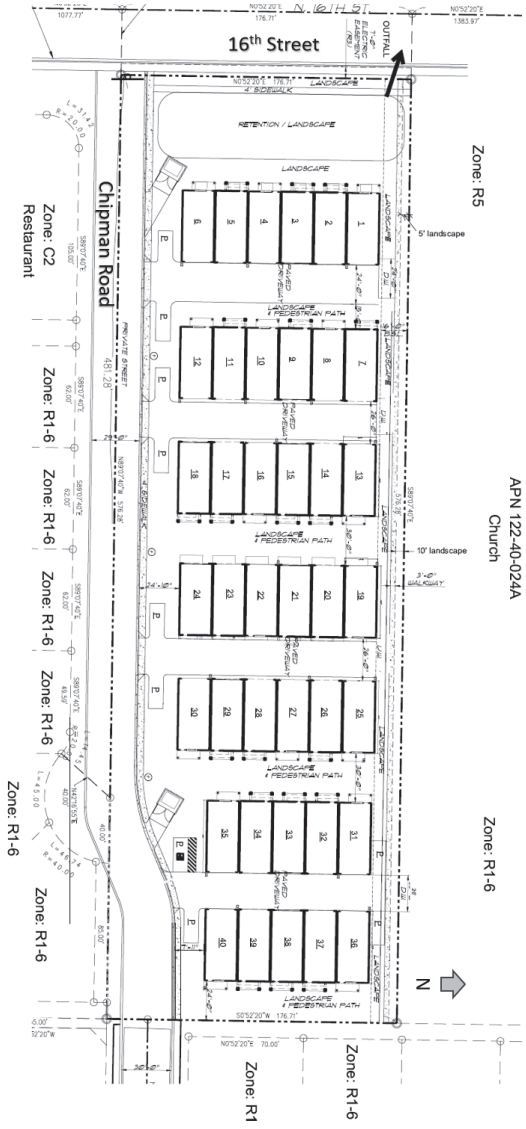
5. **Site Plan**

The applicant is proposing 40 single-family attached residential dwellings, with both two- and three-bedroom units, across seven residential buildings oriented east to west. All of the proposed buildings will be two stories, under 30 feet in height. Access to the subject site is proposed along Chipman Road, to be dedicated as a public street, although the applicant has proposed a private accessway along Chipman Road connecting both 16th Street along the west and 17th Street to the east.

Vehicular access to individual units is proposed through shared driveways that connect Chipman Road to the garages of each residential unit, where two parking spaces will be located. Pedestrian access is proposed along the front of each unit, which is oriented to an open space area.

Staff is recommending Stipulation No. 1 in case Z-62-20-8, requesting the density waiver, limiting the maximum number of dwellings to 40 units, to promote compatibility with adjacent residential uses and various residential densities permitted via the zoning districts in the general area. The stipulated density would permit two additional dwelling units beyond R-3 zoning district standards.

General conformance to the conceptual site plan is not proposed since zoning variances are intended to be applied for by the applicant following the rezoning process to address encroachments into required landscape areas by parking stalls and trash enclosures. In addition, single-family attached is subject to a use permit when located within the development option area. Use permit and variances undergo a separate review process, subject to the discretion of the Zoning Adjustment Hearing Officer.



Conceptual Site Plan with Planning and Development Department annotations, Source: AIE Design

6. **Elevations**

The conceptual building elevations depict various architectural features such as pitched roofs, windows of various sizes, front patios and four-sided architecture. The conceptual building elevations proposed depict a maximum height of two stories and 28 feet to the top of peak.

Staff is recommending a stipulation to require building elevations to incorporate a variety of colors, materials and architectural features. This is addressed in Stipulation No. 1 of case Z-61-20-8, in addition to requiring a minimum of 25 percent of building elevations oriented towards 16th Street and Chipman Road, a proposed private street with shared access for existing residential properties along the south, to provide accent materials that exhibit quality and durability.

Stipulation No. 2 of case Z-61-20-8 limits the maximum permitted building height to 2 stories and 30 feet in order to be consistent with the adjacent single-family zoning to the south and east. Stipulation No. 3 of case Z-61-20-8 recommends language that requires an entryway for individual residential units in order to promote the use of these areas by residents and to “place eyes on the street” plus internally within the development to promote safety. Stipulation No. 4 of case Z-61-20-8 contains language that prohibits balcony orientation along the second story of homes towards the single-family residential area to the east to promote the privacy of the neighboring properties.

A conformance to the conceptual building elevations is not currently proposed as no colors or materials were indicated in these elevations, plus the proposed housing product is subject to a separate use permit process. However, the stipulations listed above will help ensure that the proposed buildings will incorporate pleasing aesthetics, materials that will withstand the weather for many years and architectural features consistent with those found in the adjacent residential areas.



Conceptual Building Elevations, Source: AIE Design

7. **Entryway and Wall Enhancements**

The development proposes a main vehicular entryway along Chipman Road, a proposed private street, which connects to 16th Street, an arterial street. In order to promote a sense of place for future residents, Stipulation No. 5 of case Z-61-20-8 recommends an ornamental feature along the northeast corner of 16th Street and Chipman Road that incorporates a landscaped accent area with other uniquely identifying elements that are consistent with the proposed development.

Furthermore, Stipulation No. 6 of case Z-61-20-8 recommends that any perimeter walls visible from public streets, if these are incorporated into the development, shall include material and textural differences for visual interest and contribute an enhanced image to the surrounding community.

8. **Open Space and Amenities**

The conceptual site plan depicts various open space areas distributed throughout the development for future residents to enjoy. Staff is recommending Stipulation No. 7 of case Z-61-20-8 to require several amenities distributed throughout the development including:

- Two barbeque grills and two picnic tables;
- Community garden areas totaling to 200 square feet containing a tool library, irrigation and one bench or seating feature;
- One pedestrian seating node within close proximity to Chipman Road or the alignment if approved as a private street;
- Fifty-percent shade and live cover for open space areas, including amenity and seating areas;

These recommended stipulations will encourage future residents to utilize open space spaces to help improve their health and engage in social interactions.



Conceptual Site Plan with Planning and Development annotations, Source: AIE Design

9. **Pedestrian Circulation**

The conceptual site plan depicts various pedestrian connections throughout the development. Stipulation No. 8 of case Z-61-20-8 recommends a system of illuminated pedestrian thoroughfares that connects residential units to adjacent sidewalks and amenity areas. Alternative paving material shall be utilized where pedestrian paths and vehicular drives intersect to promote safety.

Pedestrian shading of walkways via trees and/or architectural shade to a minimum of 75 percent is also recommended as part of this stipulation to promote thermal comfort and walkability for the future residents to help reduce vehicular trips when possible, plus safety via illuminated pathways.

Furthermore, to promote pedestrian safety, traffic calming measures at all vehicular points of ingress and egress are recommended in Stipulation No. 9 of case Z-61-20-8 to help slow vehicles departing the development and crossing the public sidewalks.

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 as part of case Z-61-20-8 for enhanced landscaping and shaded sidewalks along some of the perimeter property lines as follows:

- Seventy-five percent two-inch caliper and 25 percent three-inch caliper drought-tolerant trees along 16th Street, Chipman Road and eastern property line landscape setbacks (Stipulation No. 10).
- The sidewalk along 16th Street shall be detached a with landscape strip located between the sidewalk and back of curb per the most recent Street Classification Map Cross Section (Stipulation No. 11).
- Minimum 2-inch caliper large canopy shade trees placed a minimum of 25 feet on center or equivalent groupings to provide shade to a minimum of 75 percent along the sidewalk on 16th Street (Stipulation No. 11.a).
- Drought tolerant vegetation designed to grow to a maximum mature height of 24 inches and achieve 75 percent live coverage within the sidewalk planter to discourage mid-block crossings (Stipulation No. 11.b).

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 incorporating a shaded detached sidewalk along 16th Street and a system of internal pedestrian thoroughfares to promote walkability, as described previously.

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 proposed conceptual site plan does not show recycling facilities, but the applicant's materials mention that recycling bins will be provided for this development.

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.

If the requested C-1 DNS/WVR zoning is approved for the subject site, it would allow the construction of 40 new single-family attached homes proposed by the applicant, subject to a use permit and any potential variances.

COMMUNITY INPUT SUMMARY

14. As of the writing of this report, staff did not receive any correspondence from the public regarding this request. However, Phoenix Union High School District (PUHSD) provided a written response indicating that the school district has adequate school facilities to accommodate the projected number of additional students generated by the proposed rezoning within the school district's attendance area.

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. 8, 10 and 11 of case Z-61-20-8.

16. The Street Transportation Department provided comments pertaining to right-of-way dedications along 16th Street, Chipman Road, and alleyway along the eastern property line. Furthermore, the comments include providing detached sidewalks along 16th Street, removing an existing driveway along 16th Street and constructing all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals. These comments are addressed in Stipulation Nos. 11 through 16 of case Z-61-20-8.

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. Lastly, it was referenced that a fire apparatus access road needs to be provided to the site for adequate access.

18. The Water Services Departments commented that the property has existing 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. Water mains exist along 16th Street and Chipman Road, while sewer mains exist along 16th Street.

19. The Floodplain Management division of the Public Works Department has indicated that the parcel is not located in a Special Flood Hazard Area (SFHA), but located in a Shaded Zone X, on panel 2220 L of the Flood Insurance Rate Maps (FIRM) dated February 10, 2017.

20. 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. These are addressed in Stipulation Nos. 17 and 18 of case Z-61-20-8.

21. 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. 19, 20 and 21 on case Z-61-20-8.

22. 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 in regard to lot space and density.

OTHER

23. 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. The requested C-1 DNS/WVR zoning is consistent with the Phoenix General Plan land use map designation of Mixed Use (Commercial/Commerce/Business Park) on the subject site.

2. This proposed infill development provides a new housing option that is consistent with surrounding developments and the Target Area B Redevelopment Plan.

3. The development, as stipulated, allows for an appropriate residential density that will help transition non-residential uses along 16th Street with the single-family detached subdivision east of the subject site.

Stipulations Z-61-20-8 (C-1 SPVTABDO Zoning)

1. 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, to provide a decorative and aesthetic treatment.

    b. Building elevations adjacent and oriented towards 16th Street and the south property line, excluding drive aisles, shall contain a minimum of 25 percent brick, masonry, stone or another exterior accent material that exhibits quality and durability.

    c. All building elevations shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, pitched roofs and/or overhang canopies.

2. Building height shall be limited to two stories and 30 feet.

3. Individual units shall provide an entryway that is either elevated, depressed or includes a feature such as a low wall to accentuate the primary entrance, as approved by the Planning and Development Department.

4. There shall be no balconies on the upper floors of residential dwellings oriented towards the eastern property line.

5. The development shall provide a minimum 300-square foot ornamental feature along the northeast corner of 16th Street and Chipman Road or the Chipman Road alignment to include the following elements, as approved by the Planning and Development Department:

    a. A landscaped accent area, exclusive of perimeter landscaping and right-of-way, shall be provided. The landscaped accent areas shall provide a visually unique character with drought-tolerant plant materials providing seasonal interest and 75 percent live cover.

b. The entry feature shall incorporate elements that may include, but are not limited to walls, architectural enhancements, art features, natural features such as boulders or fountains, or other uniquely identifying elements.

c. The entry feature shall utilize accents, colors and materials consistent with the adjacent development.

d. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions.

6. All perimeter walls visible from public streets 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.

7. The development shall include the following amenities and elements at a minimum, distributed between the open space area (s), as approved by the Planning and Development Department:

a. Two barbecue grills and two picnic tables.

b. Community garden areas of no less than a combined 200 square feet that will include a garden tool library, irrigation, and one bench or seating feature to enable year-round planting.

c. One pedestrian seating node containing at least one bench or seating feature and located within close proximity to Chipman Road or Chipman Road alignment.

d. Open space areas shall provide a minimum 50 percent shade, including amenity and seating areas, and a minimum of 50 percent live vegetative cover (shrubs, grasses, or groundcover plants).

8. The developer shall provide a system of pedestrian thoroughfares as described below and as approved or modified by the Planning and Development Department:

a. The developer shall provide a minimum of one pedestrian path connecting the sidewalk along 16th Street with residential units along the eastern property line via the most direct route.

b. Illuminated by pedestrian scale lighting per Section 1304(H)5 for the pathway connecting the site east to west.

c. Where pedestrian paths and vehicular crossings exist, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces. Vehicular crossings shall be kept to a minimum.

d. Pedestrian paths shall be shaded to a minimum of 75 percent using architectural shade and/or shade trees at full maturity.

e. Connections to/between:

1. All residential dwellings;

2. All amenity and active open space areas;

3. The sidewalk along 16th Street;

4. The sidewalk along Chipman Road or Chipman Road alignment;

f. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

9. The developer shall provide traffic calming measures at all vehicular points of ingress and/or egress to slow vehicles departing the development and crossing the public sidewalks, as approved by the Planning and Development Department.

10. The required landscape setback areas along 16th Street, Chipman Road, and the alley along the east property line shall be planted with drought-tolerant trees including minimum 75 percent 2-inch caliper and 25 percent 3-inch caliper, if the site develops as a residential use, as approved by the Planning and Development Department.

11. All sidewalks along 16th 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. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

a. Minimum 2-inch caliper large canopy shade trees placed a minimum of 25 feet on center or equivalent groupings to provide shade to a minimum 75 percent at full maturity.

b. Drought tolerant vegetation designed to grow to a maximum mature height of 24 inches and achieve 75 percent live coverage.

12. The developer shall dedicate 50-feet of right-of-way for the east side of 16th Street and provide a detached sidewalk as required by Cross Section D, as approved by the Planning and Development Department.

13. The Developer shall remove the existing driveway along 16th Street and construct a public street connection for Chipman Road.

14. The developer shall dedicate 25-feet of right-of-way for the north half of Chipman Road transitioning to a total 50-foot dedication to match the existing Chipman Road on the east side of the property.

15. The developer shall dedicate 6-feet along the alley on the eastern side of the development, as approved by the Planning and Development Department.

16. 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.

17. The developer shall record a Notice of Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property.

18. 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.

19. If determined necessary by the Phoenix Archeology 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 Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

20. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.

21. 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.

Stipulations Z-62-20-8 (C-1 DNS/WVR SPVTABDO Zoning, pending C-1)

1. The development shall be limited to a maximum density of 40 dwelling units.

2. 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, to provide a decorative and aesthetic treatment.

    b. Building elevations adjacent and oriented towards 16th Street and the south property line, excluding drive aisles, shall contain a minimum of 25 percent brick, masonry, stone or another exterior accent material that exhibits quality and durability.

    c. All building elevations shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, pitched roofs and/or overhang canopies.

3. Building height shall be limited to two stories and 30 feet.

4. Individual units shall provide an entryway that is either elevated, depressed or includes a feature such as a low wall to accentuate the primary entrance, as approved by the Planning and Development Department.

5. There shall be no balconies on the upper floors of residential dwellings oriented towards the eastern property line.

6. The development shall provide a minimum 300-square foot ornamental feature along the northeast corner of 16th Street and Chipman Road or the Chipman Road alignment to include the following elements, as approved by the Planning and Development Department:

    a. A landscaped accent area, exclusive of perimeter landscaping and right-of-way, shall be provided. The landscaped accent areas shall provide a visually unique character with drought-tolerant plant materials providing seasonal interest and 75 percent live cover.

b. The entry feature shall incorporate elements that may include, but are not limited to walls, architectural enhancements, art features, natural features such as boulders or fountains, or other uniquely identifying elements.

c. The entry feature shall utilize accents, colors and materials consistent with the adjacent development.

d. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions.

7. All perimeter walls visible from public streets 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.

8. The development shall include the following amenities and elements at a minimum, distributed between the open space area (s), as approved by the Planning and Development Department:

a. Two barbecue grills and two picnic tables.

b. Community garden areas of no less than a combined 200 square feet that will include a garden tool library, irrigation, and one bench or seating feature to enable year-round planting.

c. One pedestrian seating node containing at least one bench or seating feature and located within close proximity to Chipman Road or Chipman Road alignment.

d. Open space areas shall provide a minimum 50 percent shade, including amenity and seating areas, and a minimum of 50 percent live vegetative cover (shrubs, grasses, or groundcover plants).

9. The developer shall provide a system of pedestrian thoroughfares as described below and as approved or modified by the Planning and Development Department:

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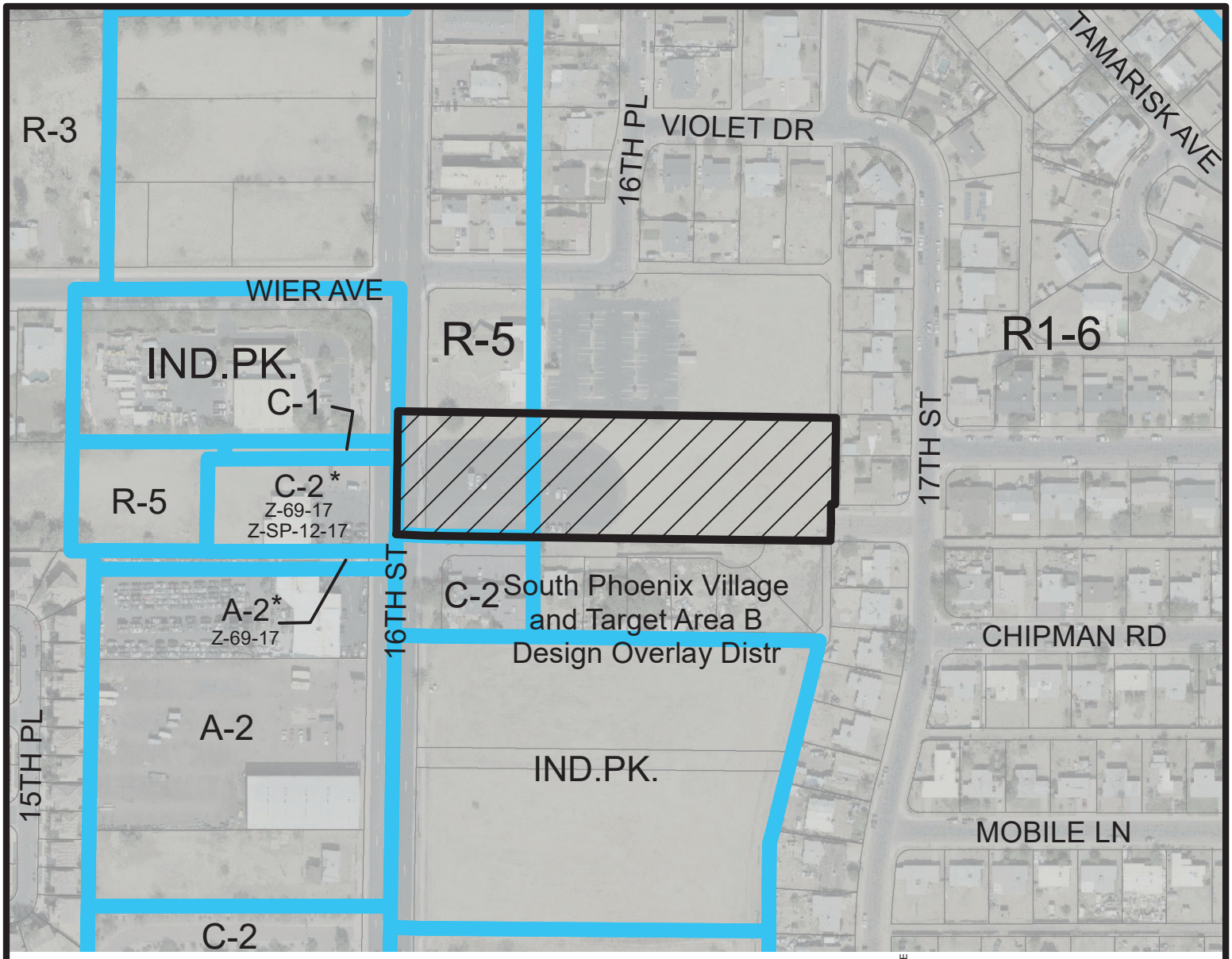
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Writer
Enrique Bojórquez-Gaxiola
March 4, 2021

Team Leader
Samantha Keating

Exhibits
Zoning sketch maps (2 pages)
Aerial sketch maps (2 pages)
Conceptual Site Plan date stamped December 29, 2020 (1 page)
Conceptual Floor Plans and Elevations date stamped November 9, 2020 (6 pages)

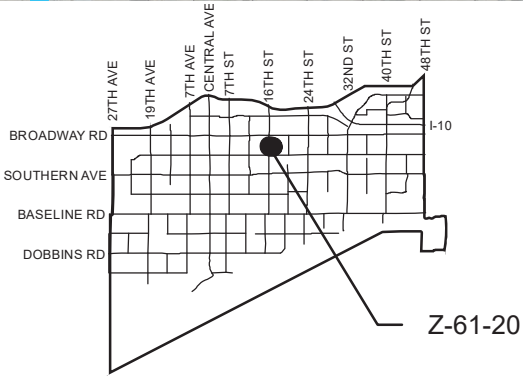


Miles

0.035 0.0175 0 0.035

SOUTH MOUNTAIN VILLAGE

CITY COUNCIL DISTRICT: 8



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME:	Ran Edelman
APPLICATION NO.	Z-61-20
DATE:	12/29/2020
REVISION DATES:	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.	2.50 Acres
AERIAL PHOTO & QUARTER SEC. NO.	QS 4-31
ZONING MAP	E-9

REQUESTED CHANGE:

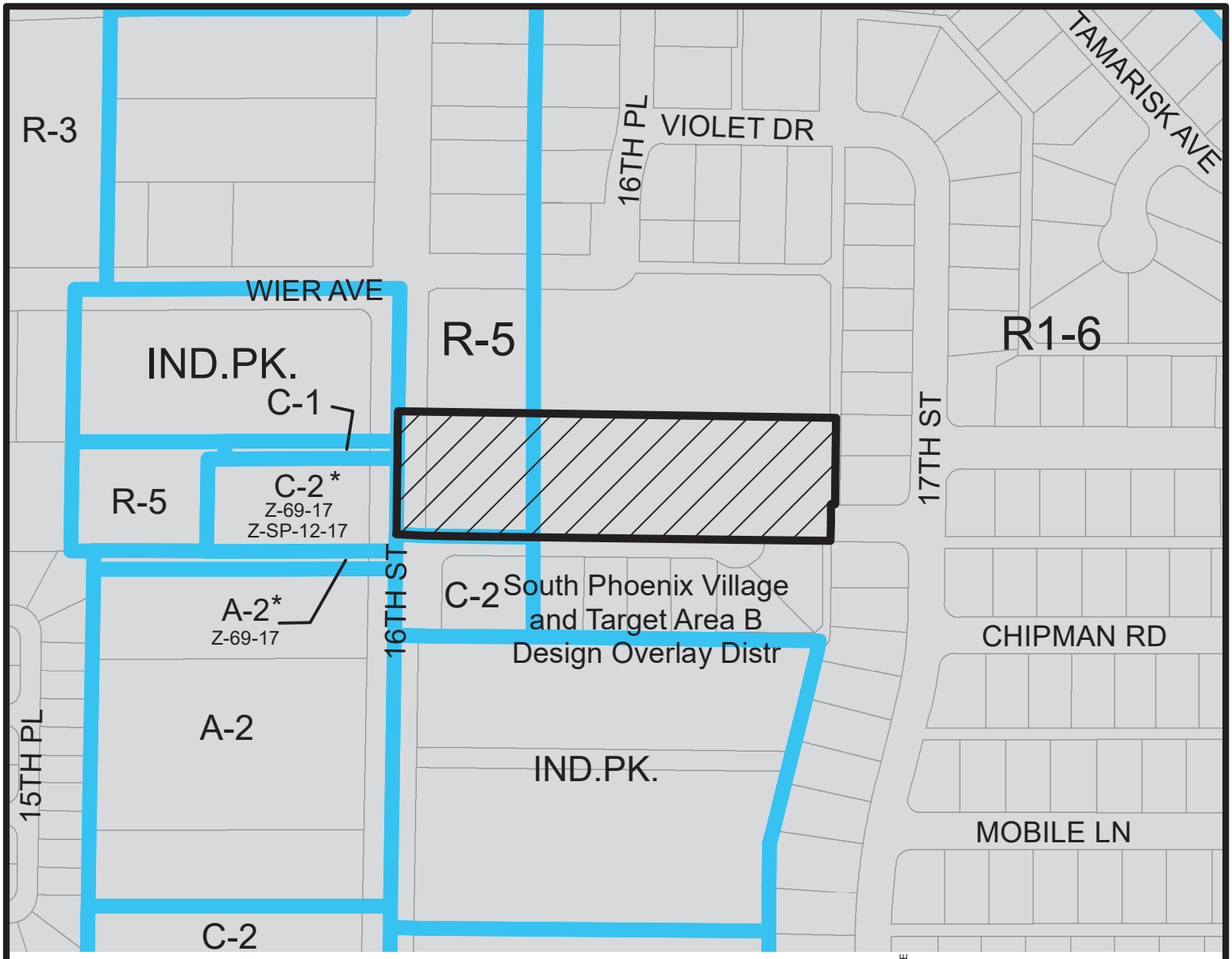
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R1-6 SPVTABOD (1.72 a.c.)

TO: C-1 SPVTABOD (2.50 a.c.)

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
R-5 SPVTABOD, R1-6 SPVTABOD	34, 9	40, 11
C-1 SPVTABOD	36	43

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

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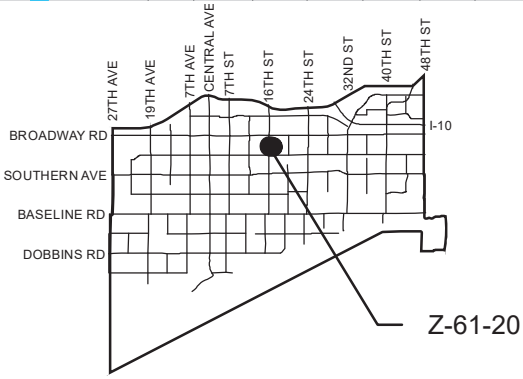


Miles

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SOUTH MOUNTAIN VILLAGE

CITY COUNCIL DISTRICT: 8



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME: Ran Edelman

REQUESTED CHANGE:

FROM: R-5 SPVTABOD (0.78 a.c.)
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APPLICATION NO. Z-61-20

DATE: 12/29/2020
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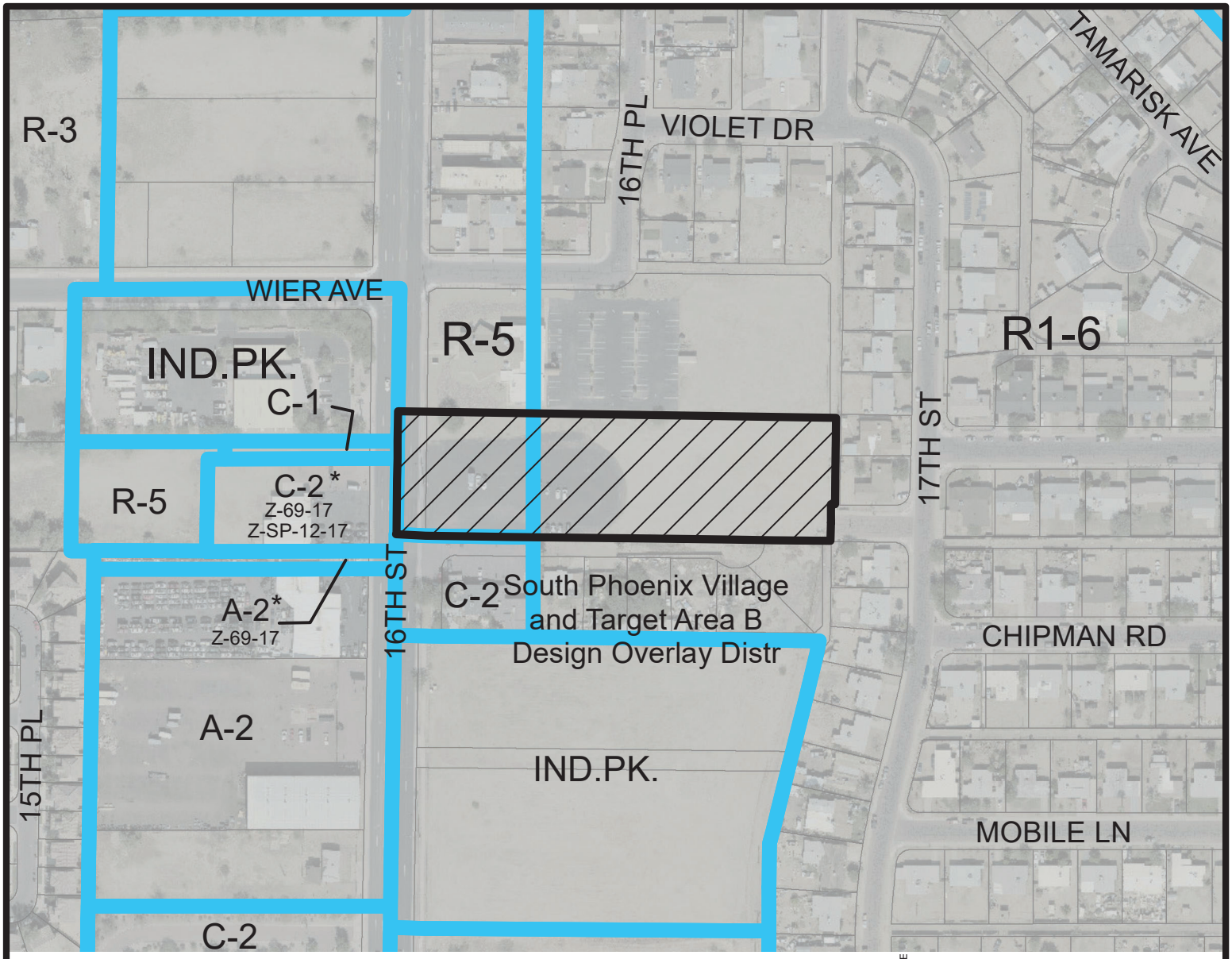
AERIAL PHOTO & QUARTER SEC. NO.: QS 4-31

ZONING MAP: E-9

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
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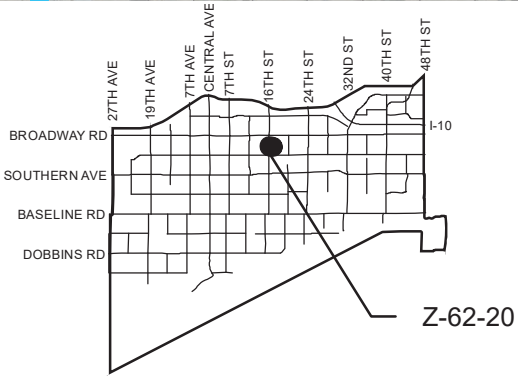


Miles

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SOUTH MOUNTAIN VILLAGE

CITY COUNCIL DISTRICT: 8



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME: Ran Edelman

REQUESTED CHANGE:

FROM: R-5 SPVTABOD (Pending C-1) (0.78 a.c.)
R1-6 SPVTABOD (Pending C-1) (1.72 a.c.)

TO: C-1 DNS/WVR SPVTABOD (2.50 a.c.)

APPLICATION NO. Z-62-20

DATE: 12/29/2020
REVISION DATES:

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

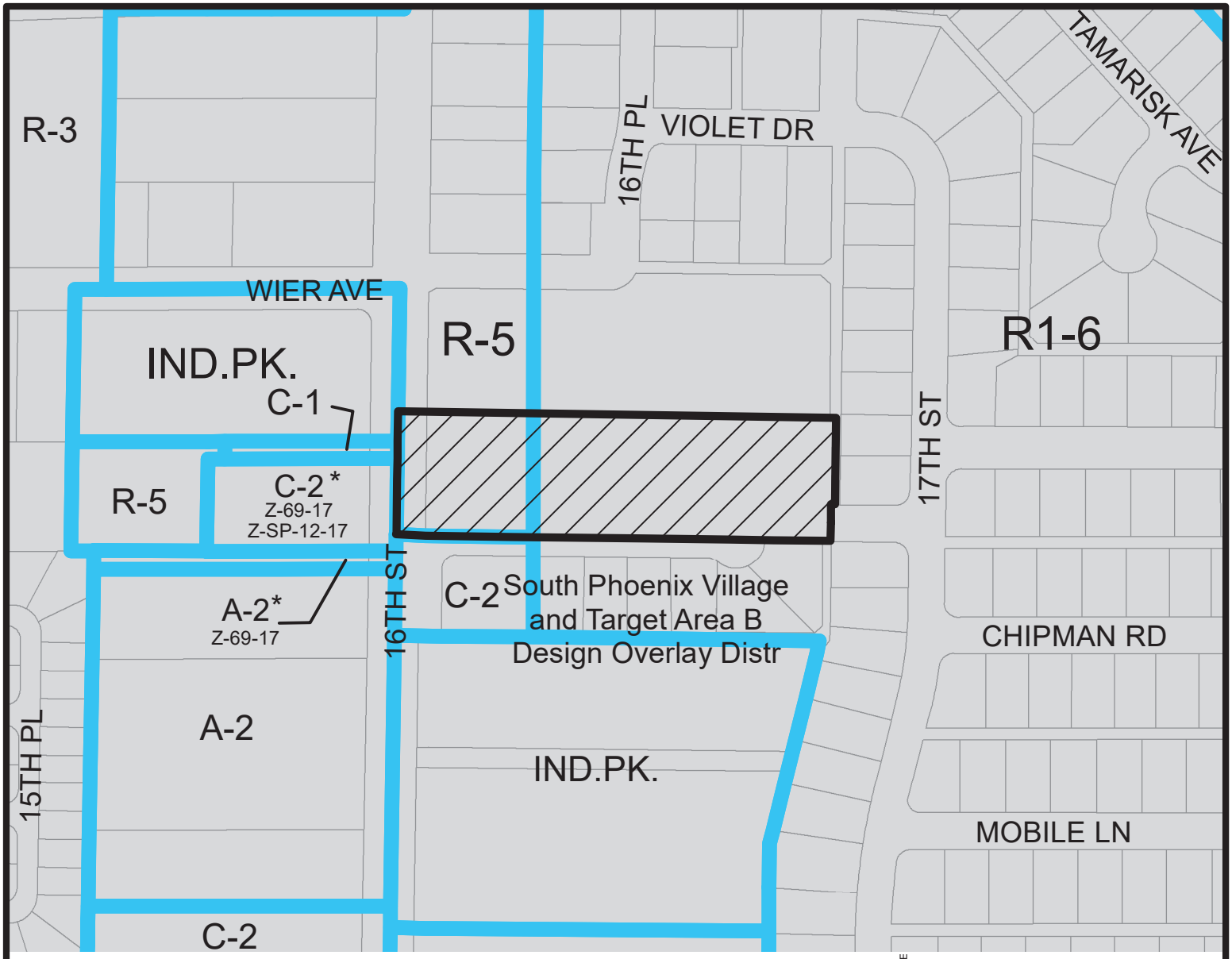
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ZONING MAP: E-9

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
R-5 SPVTABOD (Pending C-1), R1-6 SPVTABOD (Pending C-1)	34 (11), 9 (25)	40 (13), 11 (30)
C-1 DNS/WVR SPVTABOD	108	130

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

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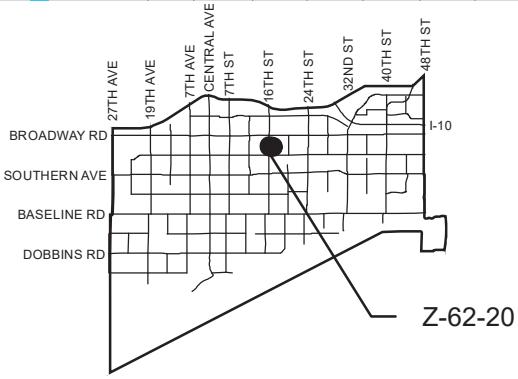


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SOUTH MOUNTAIN VILLAGE

CITY COUNCIL DISTRICT: 8



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

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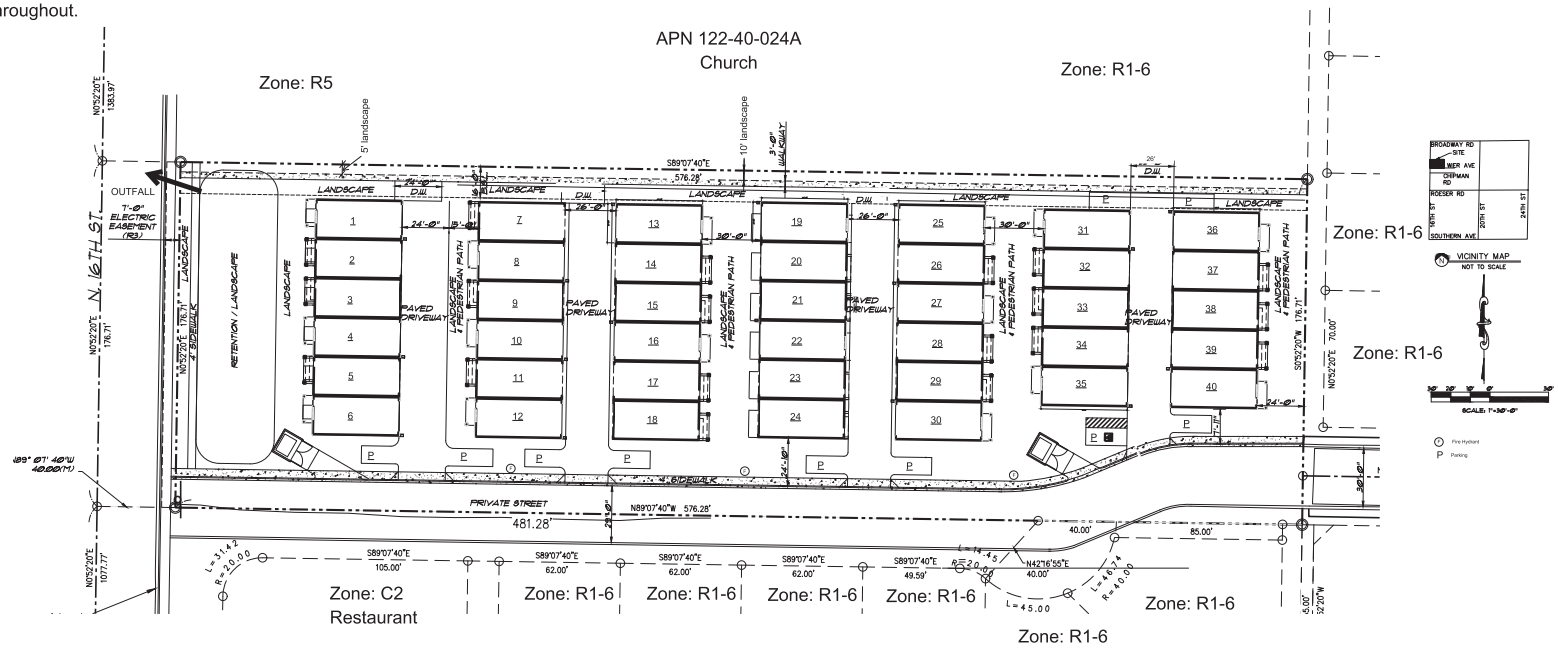
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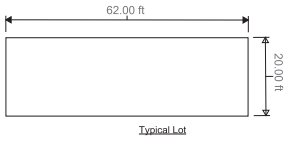
Conceptual Site Plan 4837 S 16th St Phoenix
South Mountain Shadows - Single Family Attached development
APN 122-46-015

A Portion of the NW Quarter of Section 27
Township 1N Range 3E of the G & SRB &M

South Mountain Shadows is a proposed forty (40)-units single-family-attached project situated at the NE corner of S 16th St and E Chipman Rd in Phoenix. The 2.5 acre site is zoned R-5, multifamily and R1-6. The site is currently vacant and surround by commercial to the West and South, a Church to the North and single family residential to the East. The proposed developed will consist of seven (7) single-family-attached buildings consisting of five (5) or six (6) two-story attached single family homes in each building. Access to the project will be through a proposed private-street, wide between S16th st and S 17 st. The individual houses access will be through a proposed twenty six feet (26') wide common driveway. Parking will be in a two (2) car garage with additional ten (10) guest parking.
The site will include a retention basin/ open space area, and landscaped throughout.

Owner:
Ran Edelman
5302 E. Van Buren St., #3023
Phoenix, AZ 85008
ranedelman@gmail.com
(408) 718-7525





Typical Lot

Net Area: 101,834 SF 2.34 Acre
Gross Area: 2.5 Acre
Existing Zoning: R5 / R1-6
Proposed Zoning: C1 with density Waiver
Lot Sales: Y
Density: 16 Dwellings/ Acre, 40 total
Parking Required: 80 + 10 guest
Parking Provided: 80 in garages + 10 guest parking (1 ADA)
Building footprint: 1000sf
Lot Coverage: 40%
Height: 28' 2 stories

CITY OF PHOENIX
DEC 29 2020
Planning & Development Department

4837 S. 16th St. PHOENIX, AZ 85040

JOE A. REGAY
DESIGNER
(480)859-5861

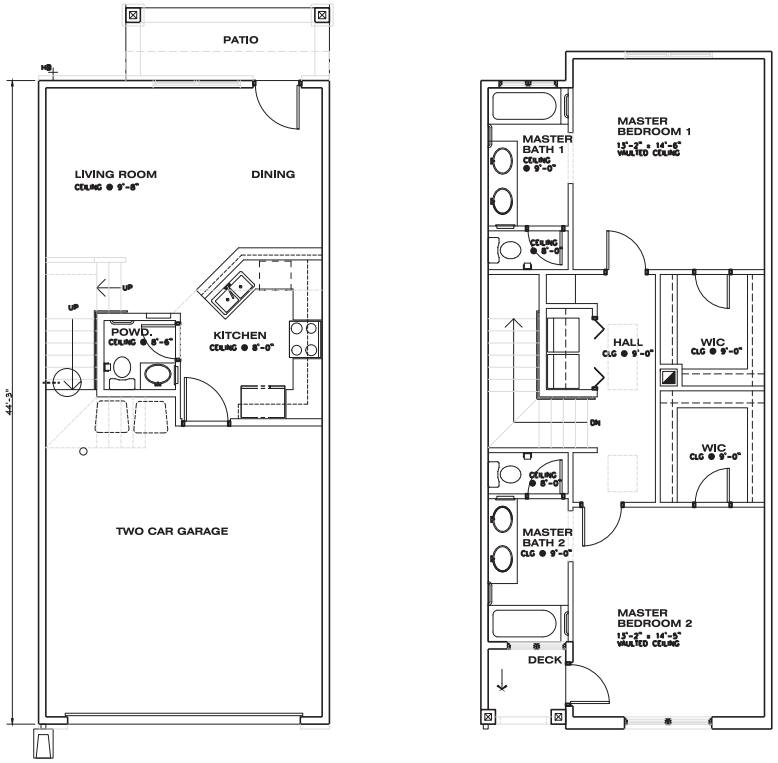
AE design
224 EAST JULIE DRIVE TEMPE, AZ 85283
480-559-3861 | EMAIL: joe@aedesign.net
https://aedesign.net/
SINCE 2012

layout
JOE B.
revisions
date 5/19/20
date

JOB NUMBER:
20-0125

SHEET DESCRIPTION:

DATE:
JULY 31, 2020



FLOOR PLANS UNIT-1

5/16"= 1'-0"

CITY OF PHOENIX

NOV 09 2020

Planning & Development Department

4837 S. 16th St. PHOENIX, AZ 85040

JOE A. BEGAY
DESIGNER
(480)695-5661

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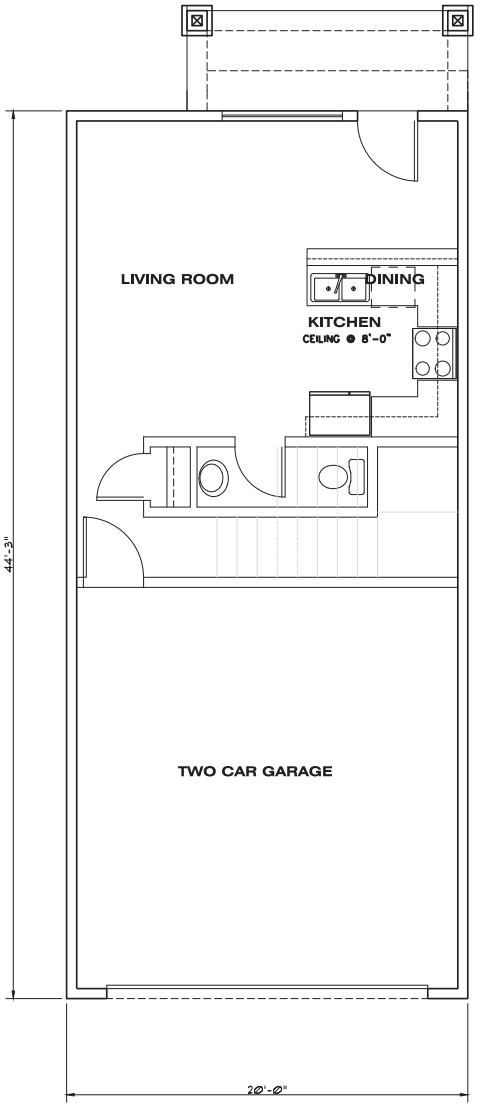
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date	revisions

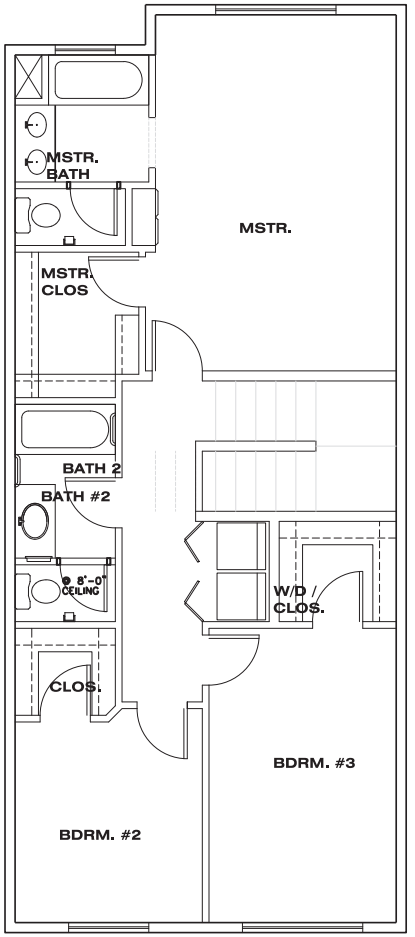
JOB NUMBER:
20-0125

SHEET DESCRIPTION:
FLOOR PLANS
UNIT-1

DATE:
JULY 31, 2020

A2





FLOOR PLANS UNIT-2

1/4"=1'-0"

CITY OF PHOENIX

NOV 09 2020

Planning & Development Department

4837 S. 16th St. PHOENIX, AZ 85040

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(480)695-5661

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AE design
architecture, interior design, engineering
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480-695-5661 / EMAIL: joe@aedesign.net
https://aedesign.net
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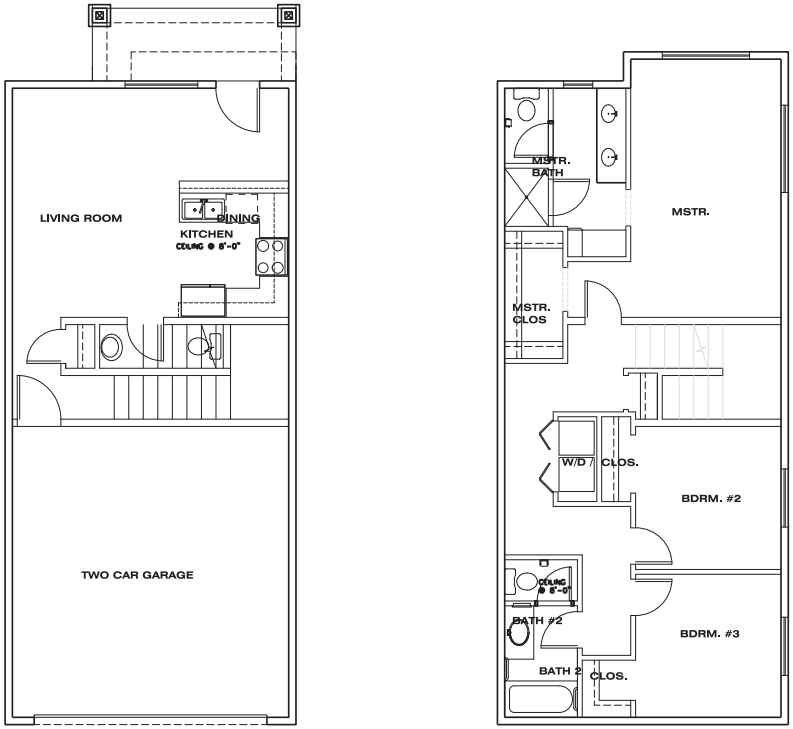
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9/15/20	JOE B.
date	revisions

JOB NUMBER:
20-0125

SHEET DESCRIPTION:
FLOOR PLANS
UNIT-2

DATE:
JULY 31, 2020

A3



FLOOR PLANS UNIT-3

1/4"=1'-0"

CITY OF PHOENIX

NOV 0 9 2020

Planning & Development Department

4837 S. 16th St. PHOENIX, AZ 85040

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DESIGNER
(480)695-8661

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A.I.E. design
architecture / interior design / engineering
224 EAST JULIE DRIVE TEMPE, AZ 85283
480-695-8661 / EMAIL: joe@aiedesign.net
http://aiedesign.net/
SINCE 2012

date	layout
8/19/20	JOE B.
date	revisions

JOB NUMBER:
20-0125

SHEET DESCRIPTION:
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UNIT-3

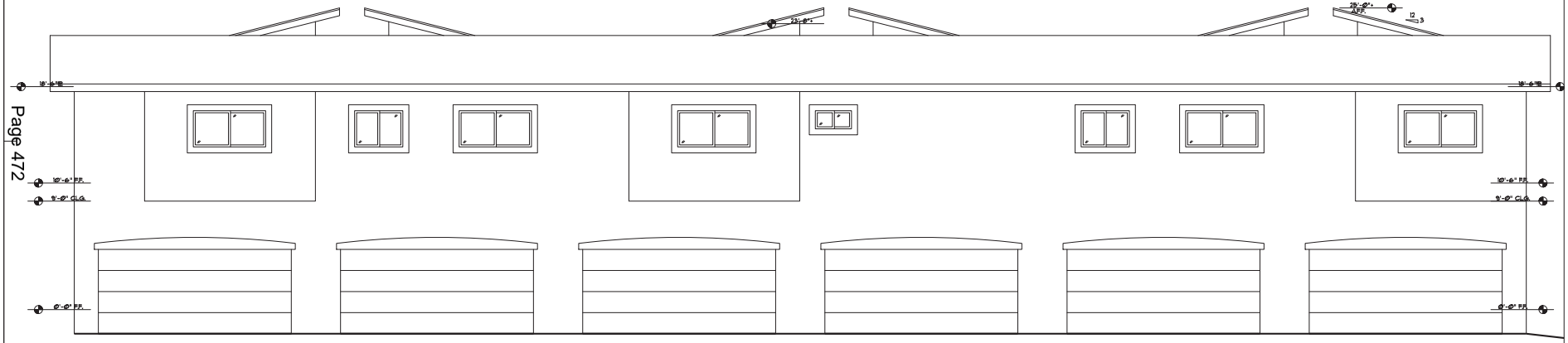
DATE:
JULY 31, 2020

A4



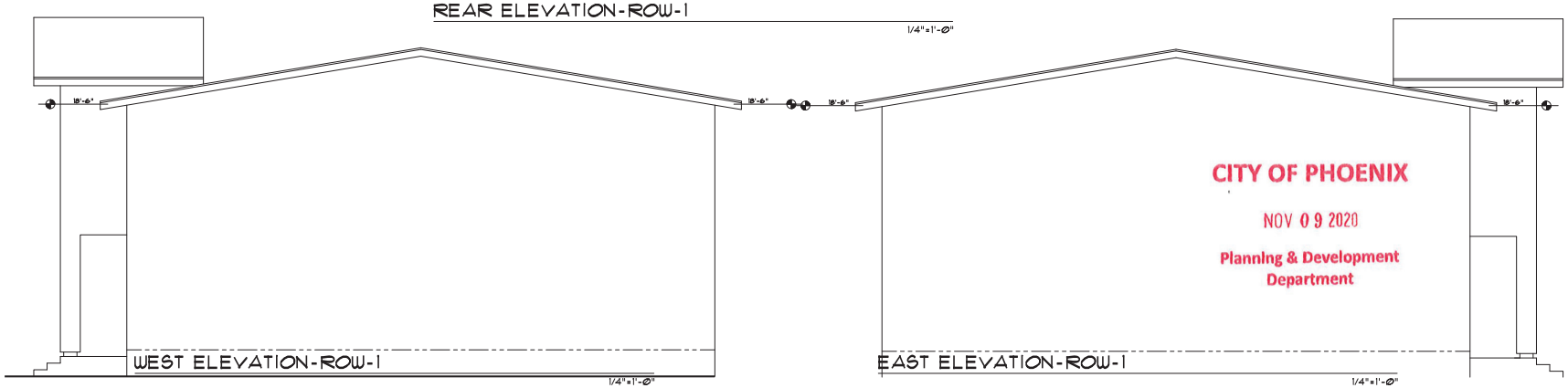
FRONT ELEVATION-ROW-1

1/4"=1'-0"



REAR ELEVATION-ROW-1

1/4"=1'-0"



WEST ELEVATION-ROW-1

1/4"=1'-0"

EAST ELEVATION-ROW-1

1/4"=1'-0"

CITY OF PHOENIX

NOV 09 2020

Planning & Development Department

4837 S. 16th St. PHOENIX, AZ 85040

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JOE A. BEGAY
DESIGNER
(480)695-6861

AE design
224 EAST JULIE DRIVE TEMPE, AZ 85283
480-695-6861 / EMAIL: joe@aedesign.net
http://aedesign.net/
SINCE 2012

date	layout
5/15/20	JOE B. revisions
date	

JOB NUMBER:
20-0125

SHEET DESCRIPTION:
ELEVATIONS
EXTERIOR

DATE:
JULY 31, 2020

A6



FRONT ELEVATION-ROW-2, 6

1/4"=1'-0"

CITY OF PHOENIX

NOV 09 2020

Planning & Development Department

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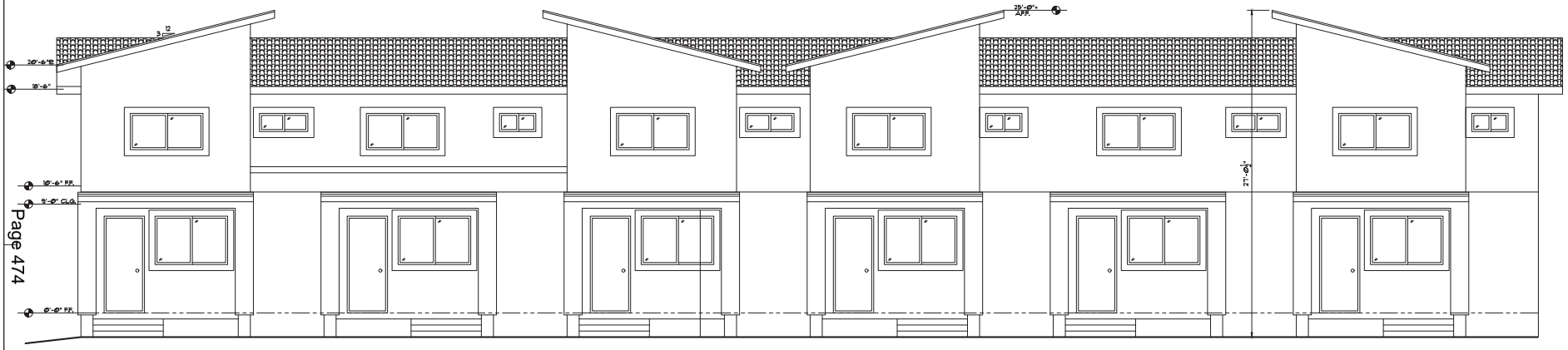
date	layout
8/19/20	JOE B. revisions
date	

JOB NUMBER:
20-0125

SHEET DESCRIPTION:
ELEVATIONS EXTERIOR

DATE:
JULY 31, 2020

A1



FRONT ELEVATION-ROW-3, 5

1/4"=1'-0"

CITY OF PHOENIX

NOV 09 2020

Planning & Development Department

4837 S. 16th St. PHOENIX, AZ 85040

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date	layout
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date	revisions

JOB NUMBER:
20-0125

SHEET DESCRIPTION:
ELEVATIONS EXTERIOR

DATE:
JULY 31, 2020

A8

Attachment C

South Mountain
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-61-20-8

Date of VPC Meeting	March 9, 2021
Request From	R1-6 SPVTABDO and R-5 SPVTABDO
Request To	C-1 SPVTABDO
Proposed Use	Single-family residential
Location	Northwest corner of 16th Street and Chipman Road
VPC Recommendation	Continued to April 13, 2021
VPC Vote	16-3; Marcia Busching, Trent Marchuk and Shelly Smith in dissent.

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Agenda items 7 and 8 were moved out of order in the agenda and heard together.

7) **Z-61-20-8 (Companion Case Z-62-20-8):** Presentation, discussion, and possible recommendation regarding a request to rezone approximately 2.50 acres located at the northeast corner of 16th Street and Chipman Road **from** R1-6 SPVTABDO (Single-Family Residence District, South Phoenix Village Target Area B Design Overlay) and R-5 SPVTABDO (Multifamily Residence District, South Phoenix Village Target Area B Design Overlay) **to** C-1 SPVTABDO (Neighborhood Retail, South Phoenix Village Target Area B Design Overlay) to allow multifamily or single-family residential.

8) **Z-62-20-8 (Companion Case Z-61-20-8):** Presentation, discussion, and possible recommendation regarding a request to rezone approximately 2.50 acres located at the northeast corner of 16th Street and Chipman Road **from** R1-6 SPVTABDO, pending C-1 SPVTABDO (Single-Family Residence District, South Phoenix Village Target Area B Design Overlay, pending Neighborhood Retail, South Phoenix Village Target Area B Design Overlay) and R-5 SPVTABDO, pending C-1 SPVTABDO (Multifamily Residence District, South Phoenix Village Target Area B Design Overlay, pending Neighborhood Retail, South Phoenix Village Target Area B Design Overlay) **to** C-1 DNS/WVR SPVTABDO (Neighborhood Retail, Density Waiver, South Phoenix Village Target Area B Design Overlay) to allow multifamily or single-family residential.

Chairwoman Patti Trites requested to continue cases Z-61-20-8 and Z-62-20-8 to the April 13, 2021 South Mountain Village Planning Committee meeting.

MOTION – Z-61-20-8
Ms. Shepard made a motion to continue case Z-61-20-8 to the April 13, 2021 meeting. **Mr. Brownell** seconded the motion.

VOTE:
16-3 Motion passes; Marcia Busching, Trent Marchuk and Shelly Smith in dissent.

MOTION – Z-62-20-8
Ms. Shepard made a motion to continue case Z-62-20-8 to the April 13, 2021 meeting. **Mr. Brownell** seconded the motion.

VOTE:
19-0 Motion passes; None in dissent.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

The South Mountain Village Planning Committee recommended a continuance on cases Z-61-20-8 and Z-62-20-8 to the April 13, 2021 meeting due to the time of the meeting that evening which ended at 10:55pm.

Attachment D

REPORT OF PLANNING COMMISSION ACTION
April 1, 2021

ITEM NO: 7	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	Z-61-20-8 (Companion Case Z-62-20-8)
Location:	Northeast corner of 16th Street and Chipman Road
From:	R-5 SPVTABOD and R1-6 SPVTABOD
To:	C-1 SPVTABOD
Acreage:	2.50
Proposal:	Multifamily or single-family residential
Applicant:	Ran Edelman
Owner:	Ran Edelman
Representative:	John Conelly

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:
South Mountain 3/9/2021 Continued. Vote: 16-3.

Planning Commission Recommendation: Approval, per the recommendation in the staff report and an additional stipulation.

Motion Discussion: N/A

Motion details: Commissioner Howard made a MOTION to approve Z-61-20-8, per the recommendation in the staff report, with the additional stipulation as read into the record.

Maker: Howard
Second: Gorraiz
Vote: 8-0
Absent: Johnson
Opposition Present: Yes

Findings:

1. The requested C-1 zoning is consistent with the Phoenix General Plan land use map designation of Mixed Use (Commercial/Commerce/Business Park) on the subject site.

2. This proposed infill development provides a new housing option that is consistent with surrounding developments and the Target Area B Redevelopment Plan.

3. The development, as stipulated, allows for an appropriate residential density that will help transition non-residential uses along 16th Street with the single-family detached subdivision east of the subject site.

Stipulations:

1. 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, to provide a decorative and aesthetic treatment.

    b. Building elevations adjacent and oriented towards 16th Street and the south property line, excluding drive aisles, shall contain a minimum of 25 percent brick, masonry, stone or another exterior accent material that exhibits quality and durability.

    c. All building elevations shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, pitched roofs and/or overhang canopies.

2. Building height shall be limited to two stories and 30 feet.

3. Individual units shall provide an entryway that is either elevated, depressed or includes a feature such as a low wall to accentuate the primary entrance, as approved by the Planning and Development Department.

4. There shall be no balconies on the upper floors of residential dwellings oriented towards the eastern property line.

5. The development shall provide a minimum 300-square foot ornamental feature along the northeast corner of 16th Street and Chipman Road or the Chipman Road alignment to include the following elements, as approved by the Planning and Development Department:

    a. A landscaped accent area, exclusive of perimeter landscaping and right-of-way, shall be provided. The landscaped accent areas shall provide a visually unique character with drought-tolerant plant materials providing seasonal interest and 75 percent live cover.

    b. The entry feature shall incorporate elements that may include, but are not limited to walls, architectural enhancements, art features, natural features such as boulders or fountains, or other uniquely identifying elements.

    c. The entry feature shall utilize accents, colors and materials consistent with the adjacent development.

d. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions.

6. All perimeter walls visible from public streets 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.

7. The development shall include the following amenities and elements at a minimum, distributed between the open space area (s), as approved by the Planning and Development Department:

   a. Two barbecue grills and two picnic tables.

   b. Community garden areas of no less than a combined 200 square feet that will include a garden tool library, irrigation, and one bench or seating feature to enable year-round planting.

   c. One pedestrian seating node containing at least one bench or seating feature and located within close proximity to Chipman Road or Chipman Road alignment.

   d. Open space areas shall provide a minimum 50 percent shade, including amenity and seating areas, and a minimum of 50 percent live vegetative cover (shrubs, grasses, or groundcover plants).

8. The developer shall provide a system of pedestrian thoroughfares as described below and as approved or modified by the Planning and Development Department:

   a. The developer shall provide a minimum of one pedestrian path connecting the sidewalk along 16th Street with residential units along the eastern property line via the most direct route.

   b. Illuminated by pedestrian scale lighting per Section 1304(H)5 for the pathway connecting the site east to west.

   c. Where pedestrian paths and vehicular crossings exist, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces. Vehicular crossings shall be kept to a minimum.

   d. Pedestrian paths shall be shaded to a minimum of 75 percent using architectural shade and/or shade trees at full maturity.

   e. Connections to/between:

      (1) All residential dwellings;

      (2) All amenity and active open space areas;

(3) The sidewalk along 16th Street;

(4) The sidewalk along Chipman Road or Chipman Road alignment;

f. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

9. The developer shall provide traffic calming measures at all vehicular points of ingress and/or egress to slow vehicles departing the development and crossing the public sidewalks, as approved by the Planning and Development Department.

10. The required landscape setback areas along 16th Street, Chipman Road, and the alley along the east property line shall be planted with drought-tolerant trees including minimum 75 percent 2-inch caliper and 25 percent 3-inch caliper, if the site develops as a residential use, as approved by the Planning and Development Department.

11. All sidewalks along 16th 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. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

a. Minimum 2-inch caliper large canopy shade trees placed a minimum of 25 feet on center or equivalent groupings to provide shade to a minimum 75 percent at full maturity.

b. Drought tolerant vegetation designed to grow to a maximum mature height of 24 inches and achieve 75 percent live coverage.

12. The developer shall dedicate 50 feet of right-of-way for the east side of 16th Street and provide a detached sidewalk as required by Cross Section D, as approved by the Planning and Development Department.

13. The Developer shall remove the existing driveway along 16th Street and construct a public street connection for Chipman Road.

14. The developer shall dedicate 25 feet of right-of-way for the north half of Chipman Road transitioning to a total 50-foot dedication to match the existing Chipman Road on the east side of the property.

15. The developer shall dedicate 6 feet along the alley on the eastern side of the development, as approved by the Planning and Development Department.

16. 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.

17. The developer shall record a Notice of Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property.

18. 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.

19. If determined necessary by the Phoenix Archeology 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 Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

20. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.

21. 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.

22. 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 Tamra Ingersoll at (602) 534-6648, TTY use 7-1-1.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 124

Public Hearing and Ordinance Adoption - Rezoning Application Z-62-20-8 - Northeast Corner of 16th Street and Chipman Road (Ordinance G-6865)

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-62-20-8 and rezone the site from R1-6 SPVTABDO, pending C-1 SPVTABDO (Single-Family Residence District, South Phoenix Village and Target Area B Design Overlay, pending Neighborhood Retail, South Phoenix Village and Target Area B Design Overlay) and R-5 SPVTABDO, pending C-1 SPVTABDO (Multifamily Residence District, South Phoenix Village and Target Area B Design Overlay, pending Neighborhood Retail, South Phoenix Village and Target Area B Design Overlay) to C-1 DNS/WVR SPVTABDO (Neighborhood Retail, Density Waiver, South Phoenix Village and Target Area B Design Overlay) to allow multifamily or single-family residential with a density waiver up to 40 units. This file is a companion case to Z-61-20-8 and should be heard immediately following.

Summary

Current Zoning: R1-6 SPVTABDO, pending C-1 SPVTABDO and R-5 SPVTABDO, pending C-1 SPVTABDO
Proposed Zoning: C-1 DNS/WVR SPVTABDO
Acreage: 2.50
Proposed Use: Multifamily or single-family residential with a density waiver up to 40 dwelling units

Owner/Applicant: Ran Edelman
Representative: Jon Connelly

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The South Mountain Village Planning Committee heard this case on March 9, 2021 and recommended a continuance to April 13, 2021, by a vote of 19-0.
PC Action: The Planning Commission heard this case on April 1, 2021 and recommended approval, per the staff recommendation with an additional stipulation, by a vote of 8-0.

Location
Northeast corner of 16th Street and Chipman Road
Council District: 8
Parcel Address: No address

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-62-20-8) FROM R1-6 SPVTABDO, PENDING C-1 SPVTABDO (SINGLE-FAMILY RESIDENCE DISTRICT, SOUTH PHOENIX VILLAGE AND TARGET AREA B DESIGN OVERLAY, PENDING NEIGHBORHOOD RETAIL, SOUTH PHOENIX VILLAGE AND TARGET AREA B DESIGN OVERLAY) AND R-5 SPVTABDO, PENDING C-1 SPVTABDO (MULTIFAMILY RESIDENCE DISTRICT, SOUTH PHOENIX VILLAGE AND TARGET AREA B DESIGN OVERLAY, PENDING NEIGHBORHOOD RETAIL, SOUTH PHOENIX VILLAGE TARGET AREA B DESIGN OVERLAY DISTRICT) TO C-1 DNS/WVR SPVTABDO (NEIGHBORHOOD RETAIL, DENSITY WAIVER, SOUTH PHOENIX VILLAGE AND TARGET AREA B DESIGN OVERLAY).

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

SECTION 1. The zoning of a 2.50-acre site located at northeast corner of 16th Street and Chipman Road in a portion of Section 27, Township 1 North, Range 3 East, as described more specifically in Exhibit “A”, is hereby changed from 1.72 acres of “R1-6 SPVTABDO, pending C-1 SPVTABDO” (Single-Family Residence District, South Phoenix Village and Target Area B Design Overlay, pending Neighborhood Retail,

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South Phoenix Village and Target Area B Design Overlay) and 0.78-acres of “R-5 SPVTABDO, pending C-1 SPVTABDO” (Multifamily Residence District, South Phoenix Village and Target Area B Design Overlay, pending Neighborhood Retail, South Phoenix Village Target Area B Design Overlay) to “C-1 DNS/WVR SPVTABDO” (Neighborhood Retail, Density Waiver, South Phoenix Village and Target Area B Design Overlay) to allow multifamily or single-family residential with a density waiver up to 40 units.

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 density of 40 dwelling units.
2. 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, to provide a decorative and aesthetic treatment.
    b. Building elevations adjacent and oriented towards 16th Street and the south property line, excluding drive aisles, shall contain a minimum of 25 percent brick, masonry, stone or another exterior accent material that exhibits quality and durability.
    c. All building elevations shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, pitched roofs and/or overhang canopies.
3. Building height shall be limited to two stories and 30 feet.

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4. Individual units shall provide an entryway that is either elevated, depressed or includes a feature such as a low wall to accentuate the primary entrance, as approved by the Planning and Development Department.

5. There shall be no balconies on the upper floors of residential dwellings oriented towards the eastern property line.

6. The development shall provide a minimum 300-square foot ornamental feature along the northeast corner of 16th Street and Chipman Road or the Chipman Road alignment to include the following elements, as approved by the Planning and Development Department:

    a. A landscaped accent area, exclusive of perimeter landscaping and right-of-way, shall be provided. The landscaped accent areas shall provide a visually unique character with drought-tolerant plant materials providing seasonal interest and 75 percent live cover.

    b. The entry feature shall incorporate elements that may include, but are not limited to walls, architectural enhancements, art features, natural features such as boulders or fountains, or other uniquely identifying elements.

    c. The entry feature shall utilize accents, colors and materials consistent with the adjacent development.

    d. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions.

7. All perimeter walls visible from public streets 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.

8. The development shall include the following amenities and elements at a minimum, distributed between the open space area (s), as approved by the Planning and Development Department:

    a. Two barbecue grills and two picnic tables.

    b. Community garden areas of no less than a combined 200 square feet that will include a garden tool library, irrigation, and one bench or seating feature to enable year-round planting.

    c. One pedestrian seating node containing at least one bench or seating feature and located within close proximity to Chipman Road or Chipman Road alignment.

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d. Open space areas shall provide a minimum 50 percent shade, including amenity and seating areas, and a minimum of 50 percent live vegetative cover (shrubs, grasses, or groundcover plants).

9. The developer shall provide a system of pedestrian thoroughfares as described below and as approved or modified by the Planning and Development Department:

   a. The developer shall provide a minimum of one pedestrian path connecting the sidewalk along 16th Street with residential units along the eastern property line via the most direct route.

   b. Illuminated by pedestrian scale lighting per Section 1304(H)5 for the pathway connecting the site east to west.

   c. Where pedestrian paths and vehicular crossings exist, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces. Vehicular crossings shall be kept to a minimum.

   d. Pedestrian paths shall be shaded to a minimum of 75 percent using architectural shade and/or shade trees at full maturity.

   e. Connections to/between:

      (1) All residential dwellings;

      (2) All amenity and active open space areas;

      (3) The sidewalk along 16th Street;

      (4) The sidewalk along Chipman Road or Chipman Road alignment;

   f. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

10. The developer shall provide traffic calming measures at all vehicular points of ingress and/or egress to slow vehicles departing the development and crossing the public sidewalks, as approved by the Planning and Development Department.

11. The required landscape setback areas along 16th Street, Chipman Road, and the alley along the east property line shall be planted with drought-tolerant trees including minimum 75 percent 2-inch caliper and 25 percent 3-inch caliper, if the site develops as a residential use, as approved by the Planning and Development Department.

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12. All sidewalks along 16th 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. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

    a. Minimum 2-inch caliper large canopy shade trees placed a minimum of 25 feet on center or equivalent groupings to provide shade to a minimum 75 percent at full maturity.

    b. Drought tolerant vegetation designed to grow to a maximum mature height of 24 inches and achieve 75 percent live coverage.

13. The developer shall dedicate 50 feet of right-of-way for the east side of 16th Street and provide a detached sidewalk as required by Cross Section D, as approved by the Planning and Development Department.

14. The Developer shall remove the existing driveway along 16th Street and construct a public street connection for Chipman Road.

15. The developer shall dedicate 25 feet of right-of-way for the north half of Chipman Road transitioning to a total 50-foot dedication to match the existing Chipman Road on the east side of the property.

16. The developer shall dedicate 6 feet along the alley on the eastern side of the development, as approved by the Planning and Development Department.

17. 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.

18. The developer shall record a Notice of Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property.

19. 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.

20. If determined necessary by the Phoenix Archeology 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 Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

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21. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.

22. 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.

23. 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 5th day of May, 2021.

_____
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)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-62-20-8

That portion of the Northwest quarter of Section 27, Township 1 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at a point on the West line of said Northwest quarter of Section 27, from which the Southwest corner of said Northwest quarter of Section 27 bears South 1254.44 feet and the Northwest corner of said Section 27 bears North 1383.96 feet;

Thence East 616.28 feet;

Thence South 176.71 feet;

Thence West 616.28 feet to a point on the West lien of said Northwest quarter of Section 27;

Thence North along said West line of the Northwest quarter of Section 27, a distance of 176.71 feet to the POINT OF BEGINNING;

EXCEPT the West 40 feet for road.

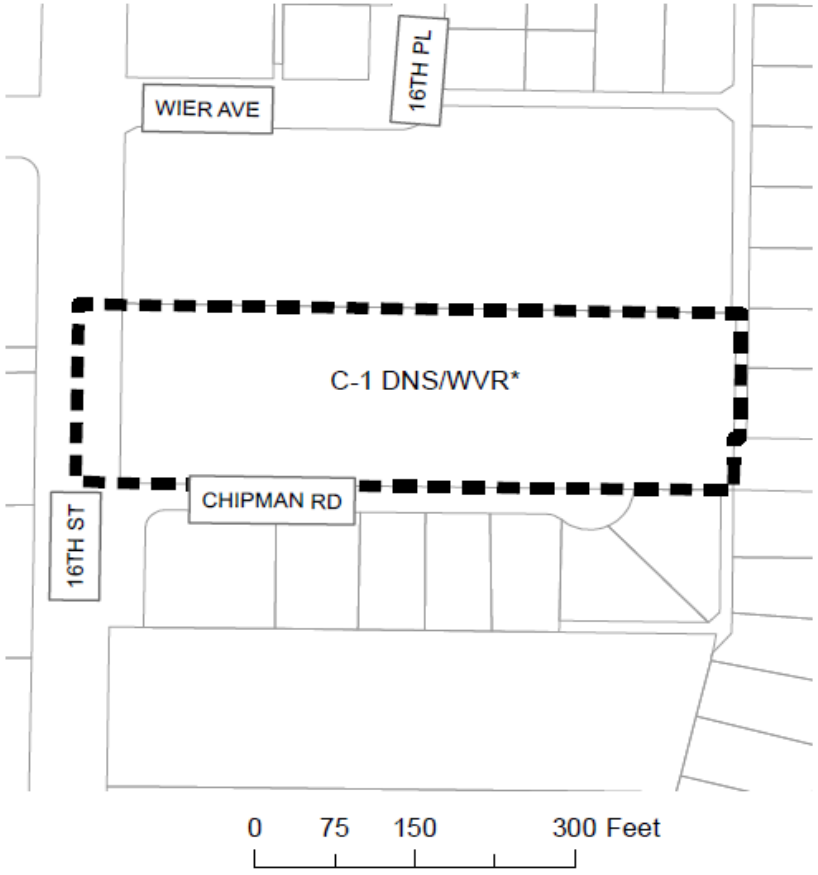
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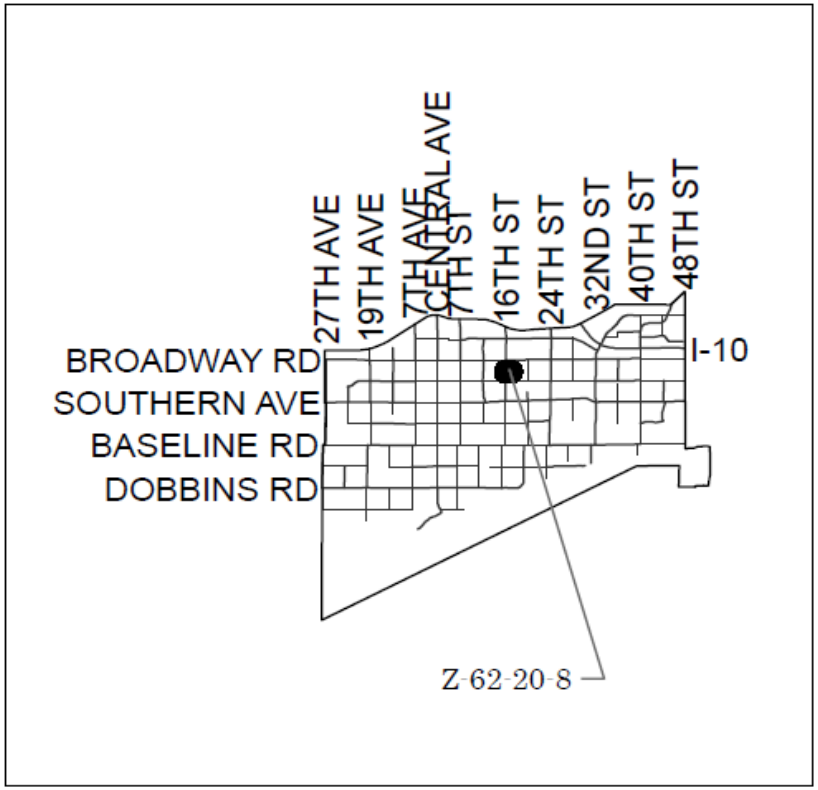
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-62-20-8
Zoning Overlay: South Phoenix Village & Target Area B Design Overlay District
Planning Village: South Mountain





NOT TO SCALE

N

Drawn Date: 3/24/2021

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Attachment B

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-61-20-8 and Z-62-20-8
March 4, 2021

South Mountain Village Planning Committee Meeting Date:	March 9, 2021
Planning Commission Hearing Date:	April 1, 2021
Request From (Z-61-20-8):	R1-6 SPVTABDO (Single-Family Residence District, South Phoenix Village Target Area B Design Overlay) (1.72 acres) and R-5 SPVTABDO (Multifamily Residence District, South Phoenix Village Target Area B Design Overlay) (0.78 acres)
Request To (Z-61-20-8)	C-1 SPVTABDO (Neighborhood Retail, South Phoenix Village Target Area B Design Overlay District) (2.50 acres)
Request From (Z-62-20-8):	R1-6 SPVTABDO, pending C-1 SPVTABDO (Single-Family Residence District, South Phoenix Village Target Area B Design Overlay, pending Neighborhood Retail, South Phoenix Village Target Area B Design Overlay) and R-5 SPVTABDO, pending C-1 SPVTABDO (Multifamily Residence District, South Phoenix Village Target Area B Design Overlay, pending Neighborhood Retail, South Phoenix Village Target Area B Design Overlay) (2.50 acres)
Request To (Z-62-20-8):	C-1 DNS/WVR SPVTABDO (Neighborhood Retail, Density Waiver, South Phoenix Village Target Area B Design Overlay District) (2.50 acres)
Proposed Use:	Single-family attached residential
Location:	Northeast corner of 16th Street and Chipman Road
Owner / Applicant:	Ran Edelman

Representative: John Connelly

Staff Recommendation: Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation	Mixed Use (Commercial/Commerce/ Business Park)		
Street Map Classification	16th Street	Arterial Street	40-foot east half street
	Chipman Road	Local Street	0-foot north half street (not dedicated)

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CLEAN NEIGHBORHOODS; Facilitate the acquisition of vacant, underutilized and blighted parcels for appropriate redevelopment, compatible with the adjacent neighborhood character and adopted area plans.

The proposed development would add attached single-family residential homes on a vacant underutilized site at a scale that is compatible with the surrounding land uses and appropriate considering its location next to an arterial street where alternative transportation routes exist. The requested C-1 DNS/WVR zoning and proposed single-family attached use is also consistent with the "Mixed Use" land use designation in the Target Area B Redevelopment Plan.

CONNECT PEOPLE AND PLACES CORE VALUE ; COMPLETE STREETS; DESIGN PRINCIPLE: 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.

The proposal, as stipulated, provides a system of lit and shaded pedestrian pathways that connects residential units with adjacent streets and amenities, encouraging pedestrian connectivity. The site is also located within close proximity to 16th Street, served by a public bus service that provides alternative transportation routes which connect to employment areas near the Phoenix Sky Harbor Airport. Furthermore, a seating amenity along the Chipman Road alignment, will provide a place to rest for pedestrians walking along this corridor.

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 development, as stipulated, provides a reasonable level of intensity that is respectful to local conditions by mitigating potential impacts to the nearby single-family residential neighborhood with building height and balcony limitations plus landscaping enhancements.

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, as stipulated, will be required to provide shade along the adjacent sidewalks, pedestrian paths connecting the development to adjacent streets and amenity areas. 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

Target Area B Redevelopment 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	Vacant / Undeveloped	R1-6 and R-5
North	Church	R1-6 and R-5
South (across Chipman Road)	Restaurant, single-family residential and vacant/undeveloped	C-2 and R1-6
East	Single-family residential	R1-6
West (across 16th Street)	Warehouse/office, vacant, and auto sales	Industrial Park, C-1, and C-2 SP

C-1 DNS/WVR SPVTABDO (R-3 Development Standards – Single-Family Attached Development option)**		
Standards	**R-3 Requirements**	**Provisions on the proposed site plan**
Gross Acreage	-	2.5 acres
Total Maximum Number of Units	38, up to 43 with bonus.	40 units (Met)**
Maximum Density	Maximum 15.23 dwelling units per acre, up to 17.40 with bonus.	16 dwelling units per acre (Met)**
Maximum Lot Coverage	100%	40% (Met)

Maximum Building Height	4 stories or 48 feet maximum as follows: 3 stories or 40 feet for first 150 feet; building height may be increased by 1 foot with a 1 foot of increased building setback, to a maximum of 4 stories or 48 feet. 15 foot maximum height is permitted within 10 feet of a single-family zoned district; building height may be increased by 1 foot for every 1 foot of increased building setback.	Maximum of 2 stories and 28 feet. (Met)
MINIMUM BUILDING SETBACKS		
Units fronting street rights-of-way	16th Street: 10 feet	Not specified
Perimeter property lines	North: 10 feet East: 10 feet	North: 10 feet (Met) East: 24 feet (Met)
Units siding rights-of-way	Chipman Road (South): 15 feet	Chipman Road (South): 17 feet (Met)
MINIMUM LANDSCAPE SETBACKS AND STANDARDS		
Residences that front an arterial, collector, or local street rights-of-way	16th Street: 10 feet	Not specified
Residences that side an arterial, collector, or local street rights-of-way	Chipman Road (South): 15 feet	Chipman Road: 17 feet (Met) (Trash enclosures and parking stalls are typically not permitted within landscape setbacks as shown in the conceptual site plan)*

Perimeter of the development not abutting right-of-way, but adjacent to a single-family residential district: North (east portion) and east property lines	North (east portion): 10 feet East: 10 feet	North (east portion): 10 feet (Met) East: Not specified*
Perimeter of the development not abutting right-of-way, and not adjacent to a single-family residential district: North (west portion)	North (west portion): 5 feet	North (west portion): 10 feet (Met)
Minimum Open Space	5% of gross site area	Not specified*
Minimum Amenities Provided	No minimum	Not specified*
MINIMUM PARKING REQUIREMENTS		
Parking	2 covered parking spaces per unit, and 0.25 unreserved guest parking spaces per unit.	80 parking spaces inside garages (2 per home) and 10 parking spaces for guests. (Met)

*Site plan revision or variance required.
** The C-1 zoning district allows single-family attached subject to a use permit within areas designated on the Infill Development District map (Section 608.F.8 of the Zoning Ordinance), following the density of the R-3 zoning district. Increased density may be permitted through a wavier up to the R-5 standards. The single-family attached development standards do not change between the R-3 and R-5 zoning districts as part of the Density Waiver.

Background/Issues/Analysis

SUBJECT SITE

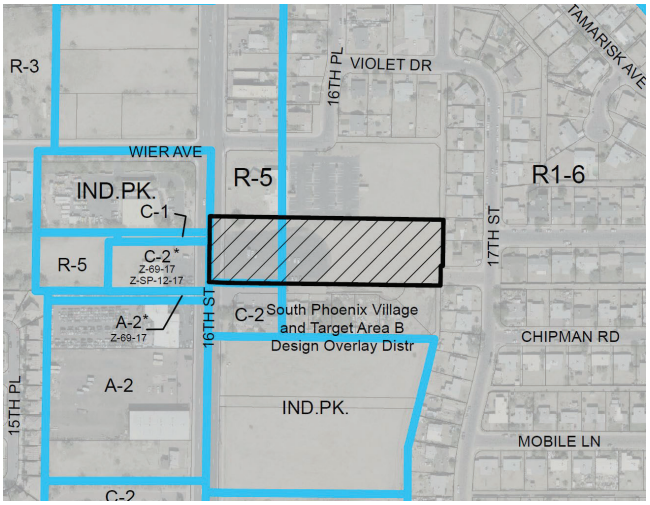
1. This request is to rezone 2.50 acres at the northeast corner of 16th Street and Chipman Road from R1-6 SPVTABDO (Single-Family Residence District, South Phoenix Village Target Area B Design Overlay) and R-5 SPVTABDO (Multifamily Residence, South Phoenix Village Target Area B Design Overlay District) to C-1 DNS/WVR SPVTABDO (Neighborhood Retail, Density Waiver, South Phoenix Village Target Area B Design Overlay District) for a single-family attached

residential use. Rezoning case Z-61-20-8 requests rezoning from R1-6 SPVTABDO and R-5 SPVTABDO to C-1 SPVTABDO (Neighborhood Retail, South Phoenix Village Target Area B Design Overlay) while rezoning case Z-62-20-8 requests the property to be rezoned from C-1 SPVTABDO to C-1 DNS/WVR SPVTABDO (Neighborhood Retail, Density Waiver, South Phoenix Village Target Area B Design Overlay) to allow additional density beyond the R-3 standards. The site is presently vacant and undeveloped.

Since the two rezoning cases pertain to the same property, intended to be developed with the same land use, the rezoning case stipulations recommended by staff for case Z-61-20-8 were also included for case Z-62-20-8. Rezoning case Z-62-20-8 has an additional stipulation that limits the maximum density to a maximum of 40 dwelling units.

SURROUNDING LAND USES AND ZONING

2. The surrounding area contains a variety of residential, commercial and industrial zoning districts including R1-6 (Single-Family Residence District), R-5 (Multifamily Residence District), C-1 (Neighborhood Retail District), C-2 (Intermediate Commercial District), C-2 SP (Intermediate Commercial, Special Permit District), Ind. Pk. (Industrial Park District) and A-2 (Industrial District). The surrounding area is also within the South Phoenix Village Target Area B Design Overlay District, which contains design criteria applicable to one and two dwelling unit developments.

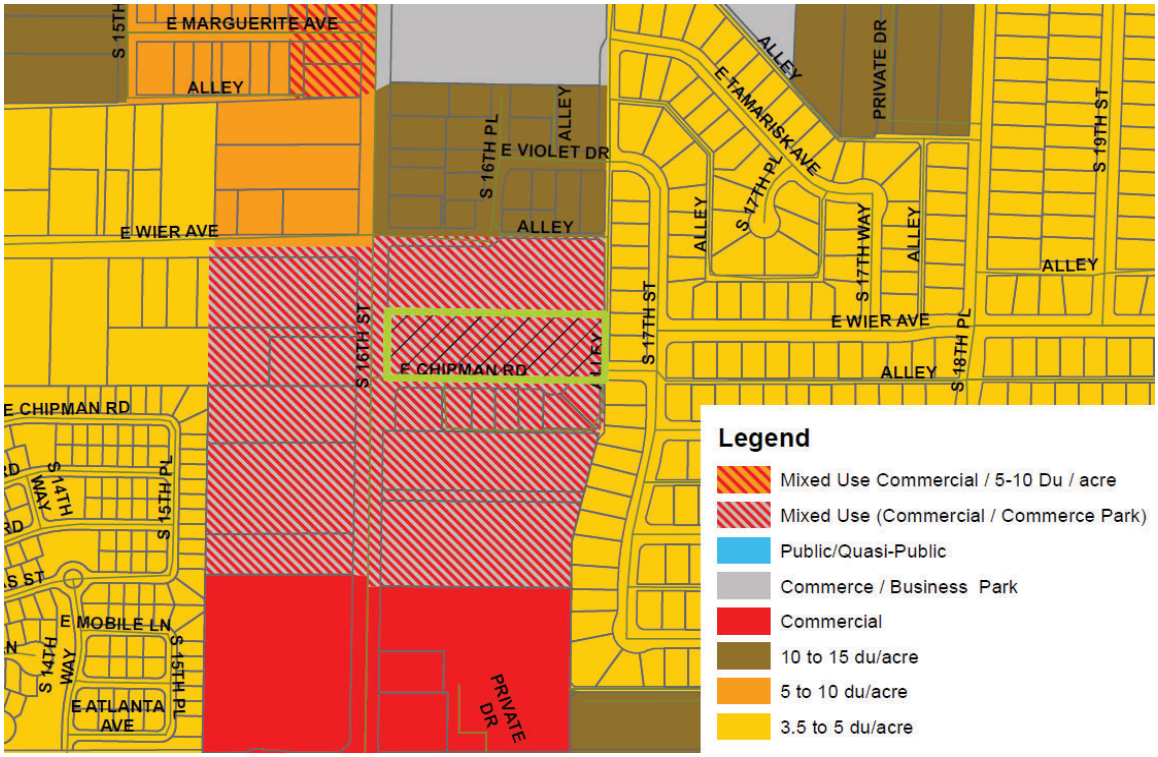


Zoning Aerial Map, Source: Planning and Development Department

GENERAL PLAN LAND USE MAP DESIGNATIONS

3. The General Plan Land Use Map designation for the subject site is a mix of Commercial and Commerce/Business Park. North and south of the site are properties also designated Commercial and Commerce/Business Park. Properties west of 16th Street across the site are also designated as Commercial and Commerce/Business Park. East of the subject site are single-family residential properties designed as Residential 3.5 to 5 dwelling units per acre on the General Plan Land Use Map.

   The C-1 DNS/WVR SPVTABDO zoning requested is consistent with the General Plan Land Use Map designation and compatible with existing and future envisioned land uses in the area.



General Plan Land Use Map, Source: Planning and Development Department

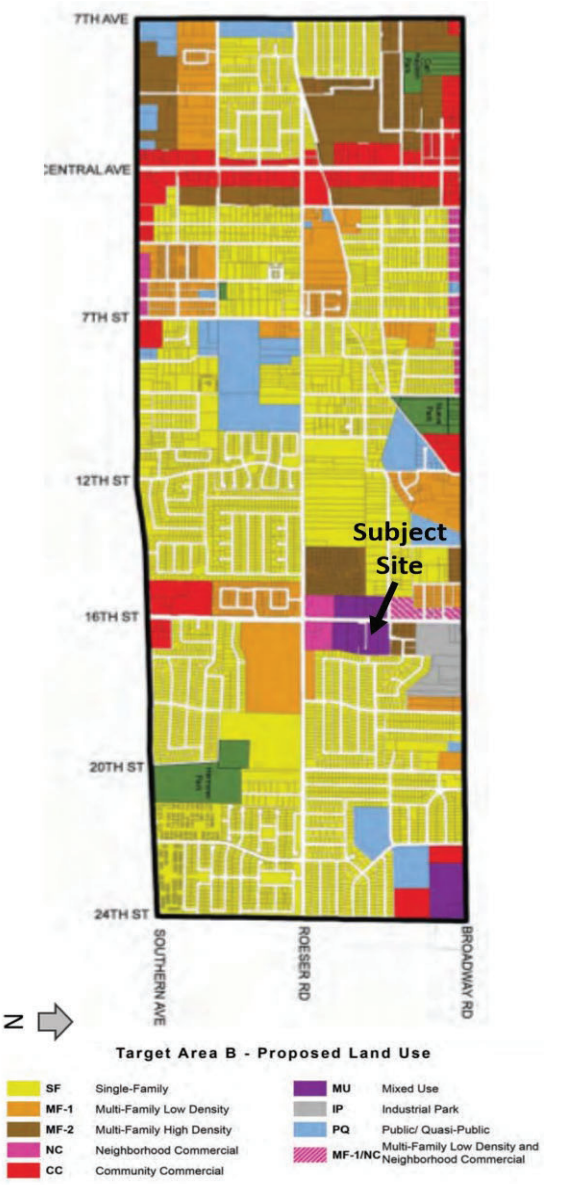
4. **Target Area B Redevelopment Plan**

The Target Area B Redevelopment Plan was adopted in 1980, updated in 2016, for the stabilization, development and redevelopment of the Target Area B bounded by Broadway Road (north), Southern Avenue (south), 24th Street (east) and 7th Avenue (west).

The Target Area B Redevelopment Plan seeks to accomplish this vision through nine redevelopment goals that include:

1. Stabilize declining residential neighborhoods;
2. Eliminate environmental deficiencies;
3. Remove impediments to land disposition;
4. Low- and moderate-income housing units;
5. Appropriate population densities;
6. Housing units for those households displaced;
7. Adequate public services and facilities;
8. Location and design of transportation routes;
9. Create a sense of community (live, work and play);

The proposed development is located centrally within the Target Area B boundaries and proposes both a zoning district and a land use that is consistent with the Target Area B Proposed Land Use map designation of “Mixed Use.”



Target Area B Proposed Land Use map, Source: Planning and Development Department

This land use classification allows for medium to high density residential, neighborhood commercial and industrial uses.

Furthermore, the Target Area B Redevelopment Plan states that housing stock should consist of a range of housing types that meet a wide variety of needs, inclinations and economic circumstances. These housing types include single-family detached and semi-detached, multifamily apartments, units with several bedrooms, housing with little land area per dwelling unit, among other types. The proposed single-family attached use for this property meets the vision of the Target Area B Redevelopment Plan and establishes a new residential product type in an area that is predominantly single-family detached, allowing for new housing opportunities.

PROPOSAL

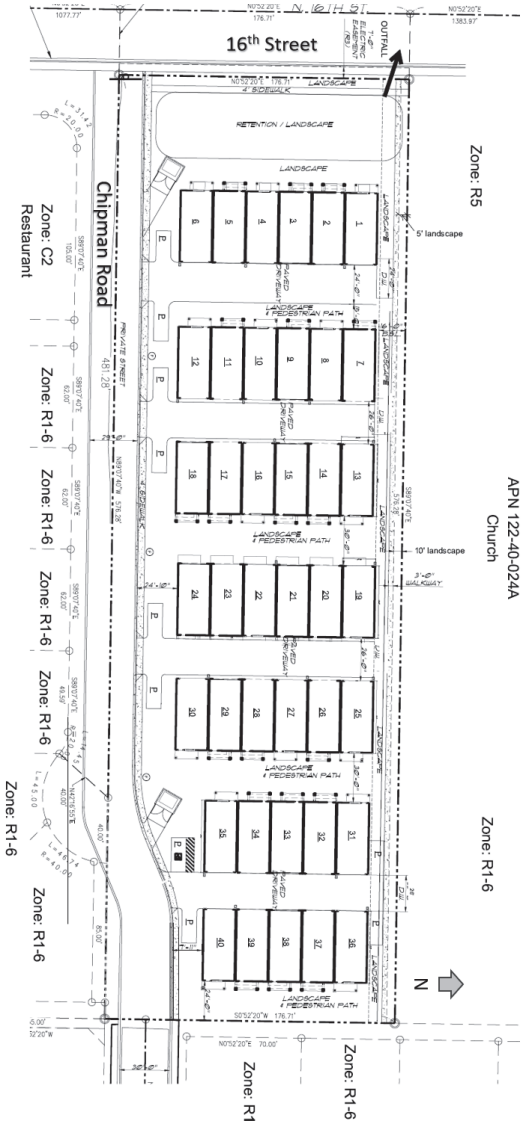
5. **Site Plan**

The applicant is proposing 40 single-family attached residential dwellings, with both two- and three-bedroom units, across seven residential buildings oriented east to west. All of the proposed buildings will be two stories, under 30 feet in height. Access to the subject site is proposed along Chipman Road, to be dedicated as a public street, although the applicant has proposed a private accessway along Chipman Road connecting both 16th Street along the west and 17th Street to the east.

Vehicular access to individual units is proposed through shared driveways that connect Chipman Road to the garages of each residential unit, where two parking spaces will be located. Pedestrian access is proposed along the front of each unit, which is oriented to an open space area.

Staff is recommending Stipulation No. 1 in case Z-62-20-8, requesting the density waiver, limiting the maximum number of dwellings to 40 units, to promote compatibility with adjacent residential uses and various residential densities permitted via the zoning districts in the general area. The stipulated density would permit two additional dwelling units beyond R-3 zoning district standards.

General conformance to the conceptual site plan is not proposed since zoning variances are intended to be applied for by the applicant following the rezoning process to address encroachments into required landscape areas by parking stalls and trash enclosures. In addition, single-family attached is subject to a use permit when located within the development option area. Use permit and variances undergo a separate review process, subject to the discretion of the Zoning Adjustment Hearing Officer.



Conceptual Site Plan with Planning and Development Department annotations, Source: AIE Design

6. **Elevations**

The conceptual building elevations depict various architectural features such as pitched roofs, windows of various sizes, front patios and four-sided architecture. The conceptual building elevations proposed depict a maximum height of two stories and 28 feet to the top of peak.

Staff is recommending a stipulation to require building elevations to incorporate a variety of colors, materials and architectural features. This is addressed in Stipulation No. 1 of case Z-61-20-8, in addition to requiring a minimum of 25 percent of building elevations oriented towards 16th Street and Chipman Road, a proposed private street with shared access for existing residential properties along the south, to provide accent materials that exhibit quality and durability.

Stipulation No. 2 of case Z-61-20-8 limits the maximum permitted building height to 2 stories and 30 feet in order to be consistent with the adjacent single-family zoning to the south and east. Stipulation No. 3 of case Z-61-20-8 recommends language that requires an entryway for individual residential units in order to promote the use of these areas by residents and to “place eyes on the street” plus internally within the development to promote safety. Stipulation No. 4 of case Z-61-20-8 contains language that prohibits balcony orientation along the second story of homes towards the single-family residential area to the east to promote the privacy of the neighboring properties.

A conformance to the conceptual building elevations is not currently proposed as no colors or materials were indicated in these elevations, plus the proposed housing product is subject to a separate use permit process. However, the stipulations listed above will help ensure that the proposed buildings will incorporate pleasing aesthetics, materials that will withstand the weather for many years and architectural features consistent with those found in the adjacent residential areas.



Conceptual Building Elevations, Source: AIE Design

7. **Entryway and Wall Enhancements**

The development proposes a main vehicular entryway along Chipman Road, a proposed private street, which connects to 16th Street, an arterial street. In order to promote a sense of place for future residents, Stipulation No. 5 of case Z-61-20-8 recommends an ornamental feature along the northeast corner of 16th Street and Chipman Road that incorporates a landscaped accent area with other uniquely identifying elements that are consistent with the proposed development.

Furthermore, Stipulation No. 6 of case Z-61-20-8 recommends that any perimeter walls visible from public streets, if these are incorporated into the development, shall include material and textural differences for visual interest and contribute an enhanced image to the surrounding community.

8. **Open Space and Amenities**

The conceptual site plan depicts various open space areas distributed throughout the development for future residents to enjoy. Staff is recommending Stipulation No. 7 of case Z-61-20-8 to require several amenities distributed throughout the development including:

- Two barbeque grills and two picnic tables;
- Community garden areas totaling to 200 square feet containing a tool library, irrigation and one bench or seating feature;
- One pedestrian seating node within close proximity to Chipman Road or the alignment if approved as a private street;
- Fifty-percent shade and live cover for open space areas, including amenity and seating areas;

These recommended stipulations will encourage future residents to utilize open space spaces to help improve their health and engage in social interactions.



Conceptual Site Plan with Planning and Development annotations, Source: AIE Design

9. **Pedestrian Circulation**

The conceptual site plan depicts various pedestrian connections throughout the development. Stipulation No. 8 of case Z-61-20-8 recommends a system of illuminated pedestrian thoroughfares that connects residential units to adjacent sidewalks and amenity areas. Alternative paving material shall be utilized where pedestrian paths and vehicular drives intersect to promote safety.

Pedestrian shading of walkways via trees and/or architectural shade to a minimum of 75 percent is also recommended as part of this stipulation to promote thermal comfort and walkability for the future residents to help reduce vehicular trips when possible, plus safety via illuminated pathways.

Furthermore, to promote pedestrian safety, traffic calming measures at all vehicular points of ingress and egress are recommended in Stipulation No. 9 of case Z-61-20-8 to help slow vehicles departing the development and crossing the public sidewalks.

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 as part of case Z-61-20-8 for enhanced landscaping and shaded sidewalks along some of the perimeter property lines as follows:

- Seventy-five percent two-inch caliper and 25 percent three-inch caliper drought-tolerant trees along 16th Street, Chipman Road and eastern property line landscape setbacks (Stipulation No. 10).
- The sidewalk along 16th Street shall be detached a with landscape strip located between the sidewalk and back of curb per the most recent Street Classification Map Cross Section (Stipulation No. 11).
- Minimum 2-inch caliper large canopy shade trees placed a minimum of 25 feet on center or equivalent groupings to provide shade to a minimum of 75 percent along the sidewalk on 16th Street (Stipulation No. 11.a).
- Drought tolerant vegetation designed to grow to a maximum mature height of 24 inches and achieve 75 percent live coverage within the sidewalk planter to discourage mid-block crossings (Stipulation No. 11.b).

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 incorporating a shaded detached sidewalk along 16th Street and a system of internal pedestrian thoroughfares to promote walkability, as described previously.

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 proposed conceptual site plan does not show recycling facilities, but the applicant's materials mention that recycling bins will be provided for this development.

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.

If the requested C-1 DNS/WVR zoning is approved for the subject site, it would allow the construction of 40 new single-family attached homes proposed by the applicant, subject to a use permit and any potential variances.

COMMUNITY INPUT SUMMARY

14. As of the writing of this report, staff did not receive any correspondence from the public regarding this request. However, Phoenix Union High School District (PUHSD) provided a written response indicating that the school district has adequate school facilities to accommodate the projected number of additional students generated by the proposed rezoning within the school district's attendance area.

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. 8, 10 and 11 of case Z-61-20-8.

16. The Street Transportation Department provided comments pertaining to right-of-way dedications along 16th Street, Chipman Road, and alleyway along the eastern property line. Furthermore, the comments include providing detached sidewalks along 16th Street, removing an existing driveway along 16th Street and constructing all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals. These comments are addressed in Stipulation Nos. 11 through 16 of case Z-61-20-8.

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. Lastly, it was referenced that a fire apparatus access road needs to be provided to the site for adequate access.

18. The Water Services Departments commented that the property has existing 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. Water mains exist along 16th Street and Chipman Road, while sewer mains exist along 16th Street.

19. The Floodplain Management division of the Public Works Department has indicated that the parcel is not located in a Special Flood Hazard Area (SFHA), but located in a Shaded Zone X, on panel 2220 L of the Flood Insurance Rate Maps (FIRM) dated February 10, 2017.

20. 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. These are addressed in Stipulation Nos. 17 and 18 of case Z-61-20-8.

21. 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. 19, 20 and 21 on case Z-61-20-8.

22. 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 in regard to lot space and density.

OTHER

23. 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. The requested C-1 DNS/WVR zoning is consistent with the Phoenix General Plan land use map designation of Mixed Use (Commercial/Commerce/Business Park) on the subject site.

2. This proposed infill development provides a new housing option that is consistent with surrounding developments and the Target Area B Redevelopment Plan.

3. The development, as stipulated, allows for an appropriate residential density that will help transition non-residential uses along 16th Street with the single-family detached subdivision east of the subject site.

Stipulations Z-61-20-8 (C-1 SPVTABDO Zoning)

1. 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, to provide a decorative and aesthetic treatment.

    b. Building elevations adjacent and oriented towards 16th Street and the south property line, excluding drive aisles, shall contain a minimum of 25 percent brick, masonry, stone or another exterior accent material that exhibits quality and durability.

    c. All building elevations shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, pitched roofs and/or overhang canopies.

2. Building height shall be limited to two stories and 30 feet.

3. Individual units shall provide an entryway that is either elevated, depressed or includes a feature such as a low wall to accentuate the primary entrance, as approved by the Planning and Development Department.

4. There shall be no balconies on the upper floors of residential dwellings oriented towards the eastern property line.

5. The development shall provide a minimum 300-square foot ornamental feature along the northeast corner of 16th Street and Chipman Road or the Chipman Road alignment to include the following elements, as approved by the Planning and Development Department:

    a. A landscaped accent area, exclusive of perimeter landscaping and right-of-way, shall be provided. The landscaped accent areas shall provide a visually unique character with drought-tolerant plant materials providing seasonal interest and 75 percent live cover.

b. The entry feature shall incorporate elements that may include, but are not limited to walls, architectural enhancements, art features, natural features such as boulders or fountains, or other uniquely identifying elements.

c. The entry feature shall utilize accents, colors and materials consistent with the adjacent development.

d. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions.

6. All perimeter walls visible from public streets 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.

7. The development shall include the following amenities and elements at a minimum, distributed between the open space area (s), as approved by the Planning and Development Department:

a. Two barbecue grills and two picnic tables.

b. Community garden areas of no less than a combined 200 square feet that will include a garden tool library, irrigation, and one bench or seating feature to enable year-round planting.

c. One pedestrian seating node containing at least one bench or seating feature and located within close proximity to Chipman Road or Chipman Road alignment.

d. Open space areas shall provide a minimum 50 percent shade, including amenity and seating areas, and a minimum of 50 percent live vegetative cover (shrubs, grasses, or groundcover plants).

8. The developer shall provide a system of pedestrian thoroughfares as described below and as approved or modified by the Planning and Development Department:

a. The developer shall provide a minimum of one pedestrian path connecting the sidewalk along 16th Street with residential units along the eastern property line via the most direct route.

b. Illuminated by pedestrian scale lighting per Section 1304(H)5 for the pathway connecting the site east to west.

c. Where pedestrian paths and vehicular crossings exist, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces. Vehicular crossings shall be kept to a minimum.

d. Pedestrian paths shall be shaded to a minimum of 75 percent using architectural shade and/or shade trees at full maturity.

e. Connections to/between:

1. All residential dwellings;

2. All amenity and active open space areas;

3. The sidewalk along 16th Street;

4. The sidewalk along Chipman Road or Chipman Road alignment;

f. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

9. The developer shall provide traffic calming measures at all vehicular points of ingress and/or egress to slow vehicles departing the development and crossing the public sidewalks, as approved by the Planning and Development Department.

10. The required landscape setback areas along 16th Street, Chipman Road, and the alley along the east property line shall be planted with drought-tolerant trees including minimum 75 percent 2-inch caliper and 25 percent 3-inch caliper, if the site develops as a residential use, as approved by the Planning and Development Department.

11. All sidewalks along 16th 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. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

a. Minimum 2-inch caliper large canopy shade trees placed a minimum of 25 feet on center or equivalent groupings to provide shade to a minimum 75 percent at full maturity.

b. Drought tolerant vegetation designed to grow to a maximum mature height of 24 inches and achieve 75 percent live coverage.

12. The developer shall dedicate 50-feet of right-of-way for the east side of 16th Street and provide a detached sidewalk as required by Cross Section D, as approved by the Planning and Development Department.

13. The Developer shall remove the existing driveway along 16th Street and construct a public street connection for Chipman Road.

14. The developer shall dedicate 25-feet of right-of-way for the north half of Chipman Road transitioning to a total 50-foot dedication to match the existing Chipman Road on the east side of the property.

15. The developer shall dedicate 6-feet along the alley on the eastern side of the development, as approved by the Planning and Development Department.

16. 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.

17. The developer shall record a Notice of Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property.

18. 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.

19. If determined necessary by the Phoenix Archeology 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 Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

20. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.

21. 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.

Stipulations Z-62-20-8 (C-1 DNS/WVR SPVTABDO Zoning, pending C-1)

1. The development shall be limited to a maximum density of 40 dwelling units.

2. 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, to provide a decorative and aesthetic treatment.

    b. Building elevations adjacent and oriented towards 16th Street and the south property line, excluding drive aisles, shall contain a minimum of 25 percent brick, masonry, stone or another exterior accent material that exhibits quality and durability.

    c. All building elevations shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, pitched roofs and/or overhang canopies.

3. Building height shall be limited to two stories and 30 feet.

4. Individual units shall provide an entryway that is either elevated, depressed or includes a feature such as a low wall to accentuate the primary entrance, as approved by the Planning and Development Department.

5. There shall be no balconies on the upper floors of residential dwellings oriented towards the eastern property line.

6. The development shall provide a minimum 300-square foot ornamental feature along the northeast corner of 16th Street and Chipman Road or the Chipman Road alignment to include the following elements, as approved by the Planning and Development Department:

    a. A landscaped accent area, exclusive of perimeter landscaping and right-of-way, shall be provided. The landscaped accent areas shall provide a visually unique character with drought-tolerant plant materials providing seasonal interest and 75 percent live cover.

b. The entry feature shall incorporate elements that may include, but are not limited to walls, architectural enhancements, art features, natural features such as boulders or fountains, or other uniquely identifying elements.

c. The entry feature shall utilize accents, colors and materials consistent with the adjacent development.

d. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions.

7. All perimeter walls visible from public streets 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.

8. The development shall include the following amenities and elements at a minimum, distributed between the open space area (s), as approved by the Planning and Development Department:

a. Two barbecue grills and two picnic tables.

b. Community garden areas of no less than a combined 200 square feet that will include a garden tool library, irrigation, and one bench or seating feature to enable year-round planting.

c. One pedestrian seating node containing at least one bench or seating feature and located within close proximity to Chipman Road or Chipman Road alignment.

d. Open space areas shall provide a minimum 50 percent shade, including amenity and seating areas, and a minimum of 50 percent live vegetative cover (shrubs, grasses, or groundcover plants).

9. The developer shall provide a system of pedestrian thoroughfares as described below and as approved or modified by the Planning and Development Department:

a. The developer shall provide a minimum of one pedestrian path connecting the sidewalk along 16th Street with residential units along the eastern property line via the most direct route.

b. Illuminated by pedestrian scale lighting per Section 1304(H)5 for the pathway connecting the site east to west.

c. Where pedestrian paths and vehicular crossings exist, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces. Vehicular crossings shall be kept to a minimum.

d. Pedestrian paths shall be shaded to a minimum of 75 percent using architectural shade and/or shade trees at full maturity.

e. Connections to/between:

1. All residential dwellings;

2. All amenity and active open space areas;

3. The sidewalk along 16th Street;

4. The sidewalk along Chipman Road or Chipman Road alignment;

f. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

10. The developer shall provide traffic calming measures at all vehicular points of ingress and/or egress to slow vehicles departing the development and crossing the public sidewalks, as approved by the Planning and Development Department.

11. The required landscape setback areas along 16th Street, Chipman Road, and the alley along the east property line shall be planted with drought-tolerant trees including minimum 75 percent 2-inch caliper and 25 percent 3-inch caliper, if the site develops as a residential use, as approved by the Planning and Development Department.

12. All sidewalks along 16th 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. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

a. Minimum 2-inch caliper large canopy shade trees placed a minimum of 25 feet on center or equivalent groupings to provide shade to a minimum 75 percent at full maturity.

b. Drought tolerant vegetation designed to grow to a maximum mature height of 24 inches and achieve 75 percent live coverage.

13. The developer shall dedicate 50-feet of right-of-way for the east side of 16th Street and provide a detached sidewalk as required by Cross Section D, as approved by the Planning and Development Department.

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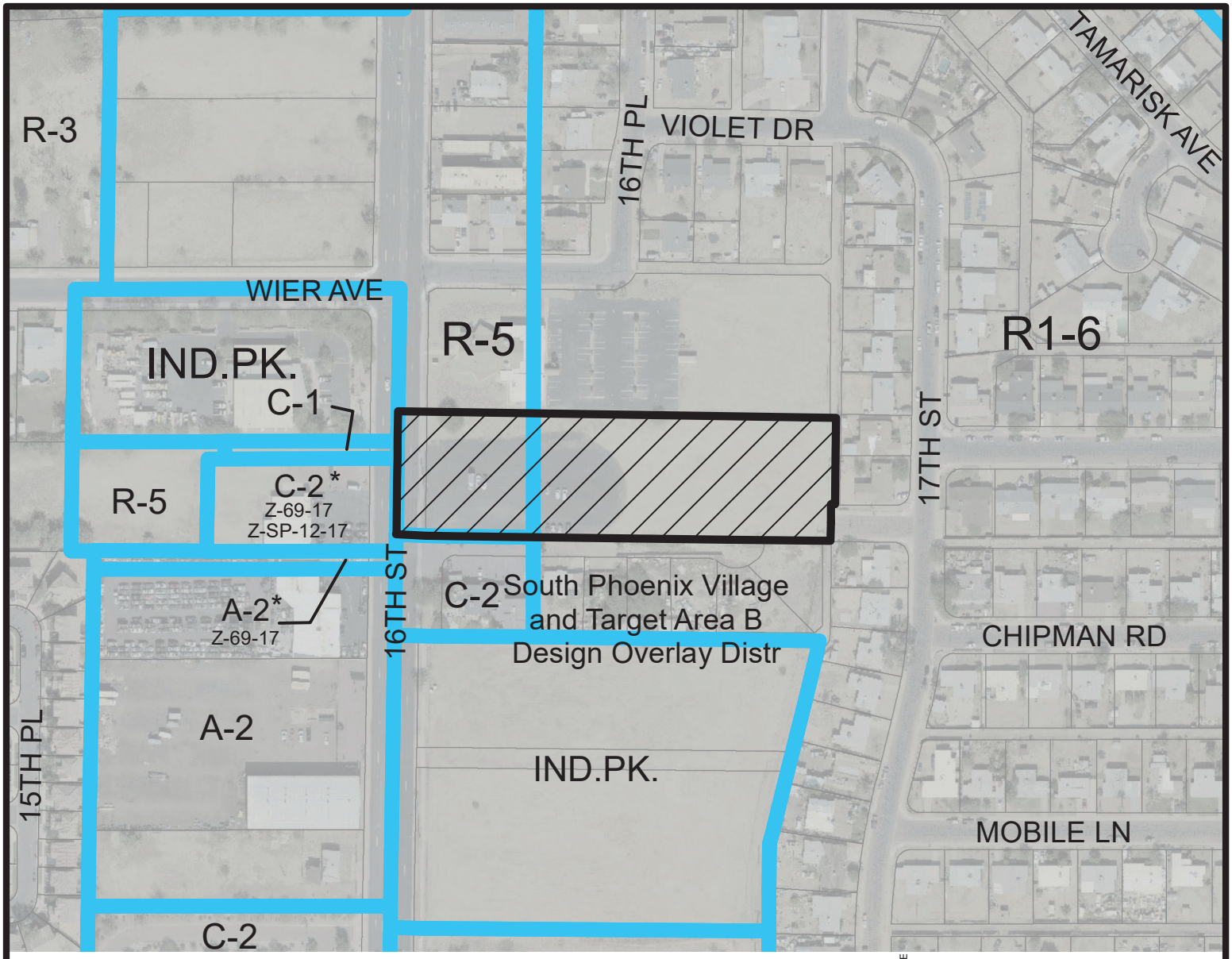
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Writer
Enrique Bojórquez-Gaxiola
March 4, 2021

Team Leader
Samantha Keating

Exhibits
Zoning sketch maps (2 pages)
Aerial sketch maps (2 pages)
Conceptual Site Plan date stamped December 29, 2020 (1 page)
Conceptual Floor Plans and Elevations date stamped November 9, 2020 (6 pages)

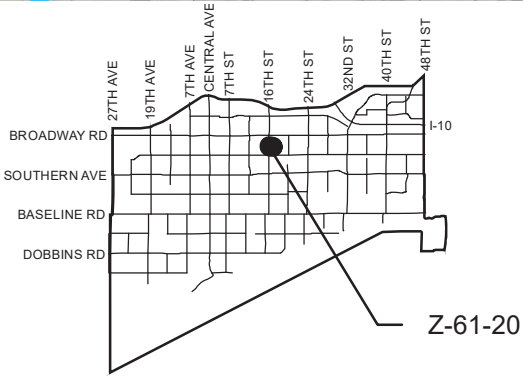


Miles

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SOUTH MOUNTAIN VILLAGE

CITY COUNCIL DISTRICT: 8



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME:	Ran Edelman
APPLICATION NO.	Z-61-20
DATE:	12/29/2020
REVISION DATES:	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.	2.50 Acres
AERIAL PHOTO & QUARTER SEC. NO.	QS 4-31
ZONING MAP	E-9

REQUESTED CHANGE:

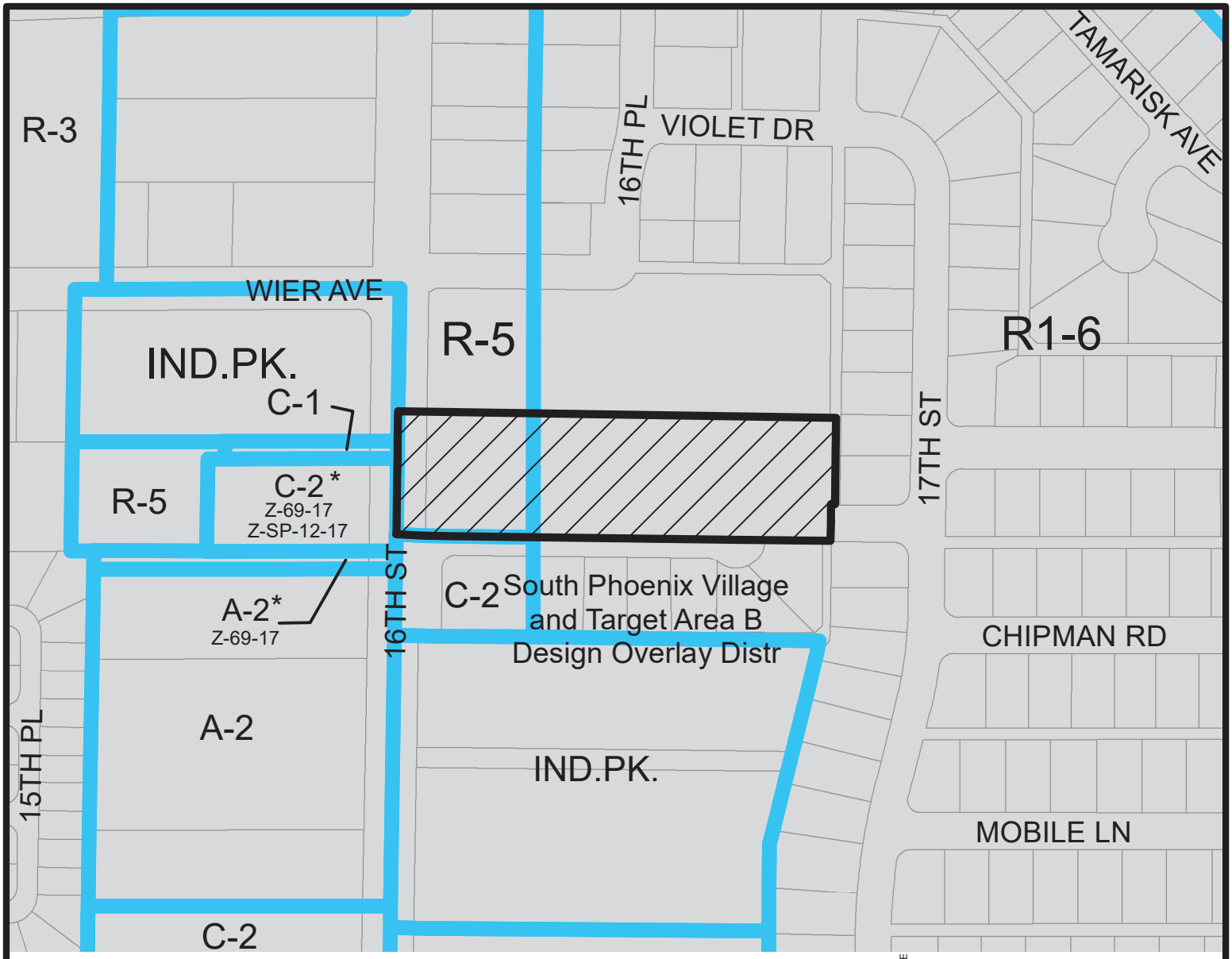
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R1-6 SPVTABOD (1.72 a.c.)

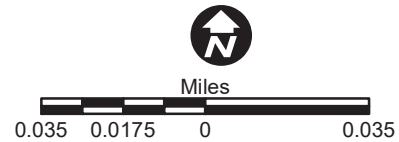
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MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
R-5 SPVTABOD, R1-6 SPVTABOD	34, 9	40, 11
C-1 SPVTABOD	36	43

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

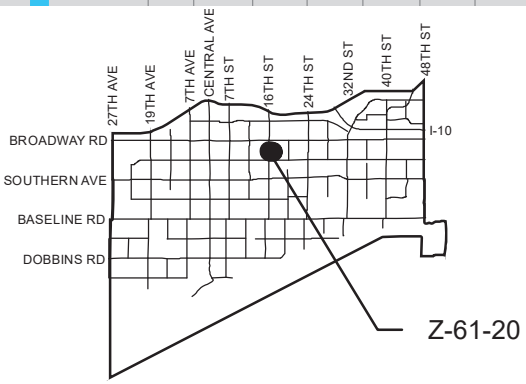
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SOUTH MOUNTAIN VILLAGE

CITY COUNCIL DISTRICT: 8



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME:	Ran Edelman
APPLICATION NO.	Z-61-20
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GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.	2.50 Acres
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ZONING MAP	E-9

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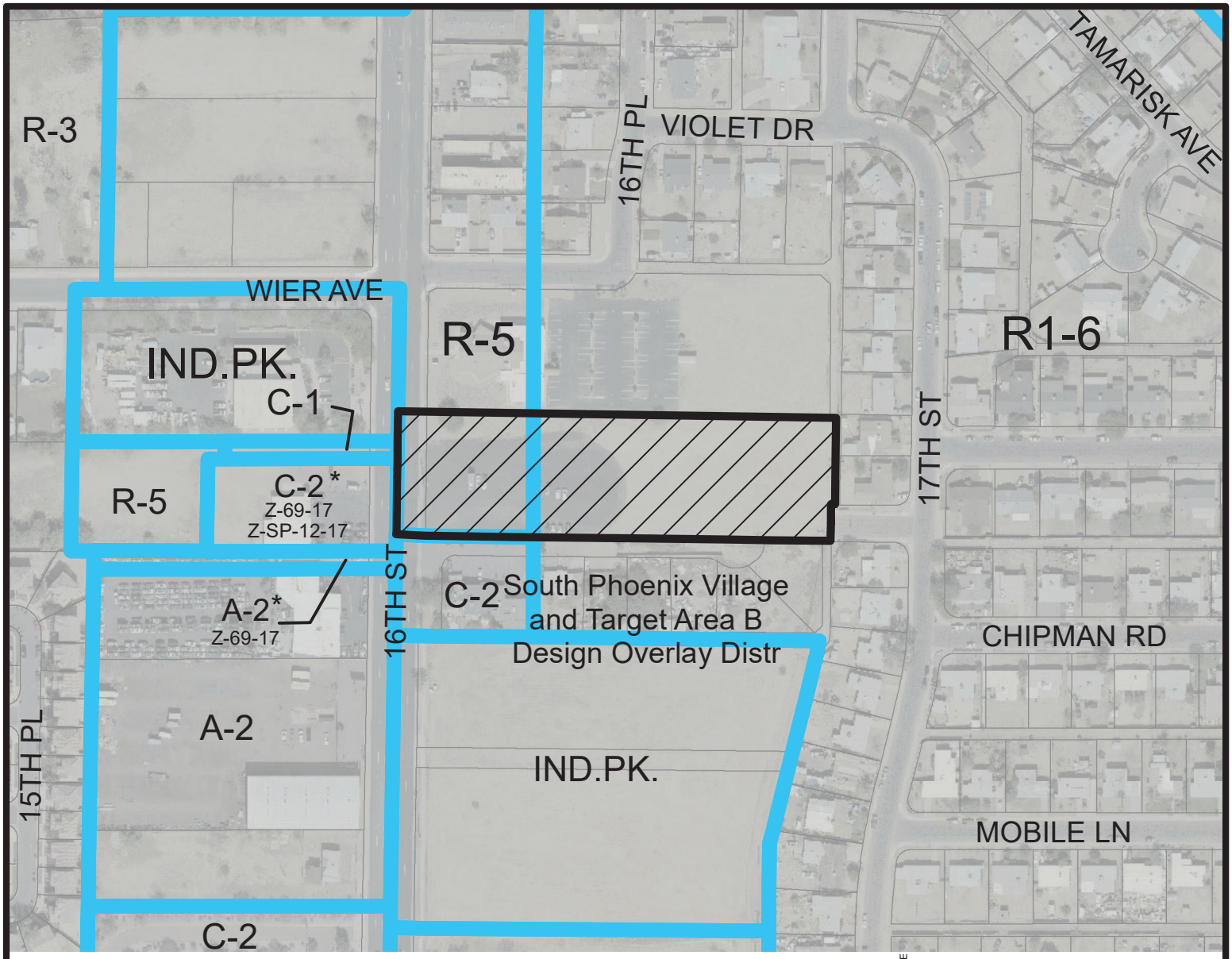
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R1-6 SPVTABOD (1.72 a.c.)

TO: C-1 SPVTABOD (2.50 a.c.)

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
R-5 SPVTABOD, R1-6 SPVTABOD	34, 9	40, 11
C-1 SPVTABOD	36	43

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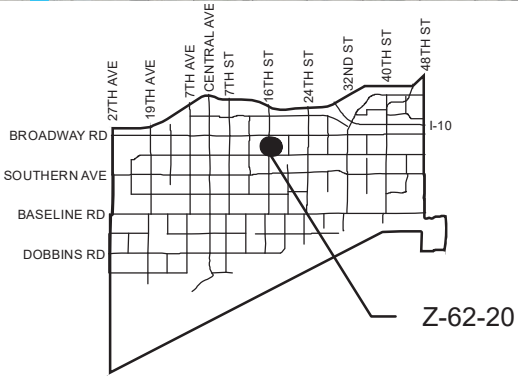


Miles

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SOUTH MOUNTAIN VILLAGE

CITY COUNCIL DISTRICT: 8



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME: Ran Edelman

REQUESTED CHANGE:

FROM: R-5 SPVTABOD (Pending C-1) (0.78 a.c.)
R1-6 SPVTABOD (Pending C-1) (1.72 a.c.)

TO: C-1 DNS/WVR SPVTABOD (2.50 a.c.)

APPLICATION NO. Z-62-20

DATE: 12/29/2020
REVISION DATES:

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

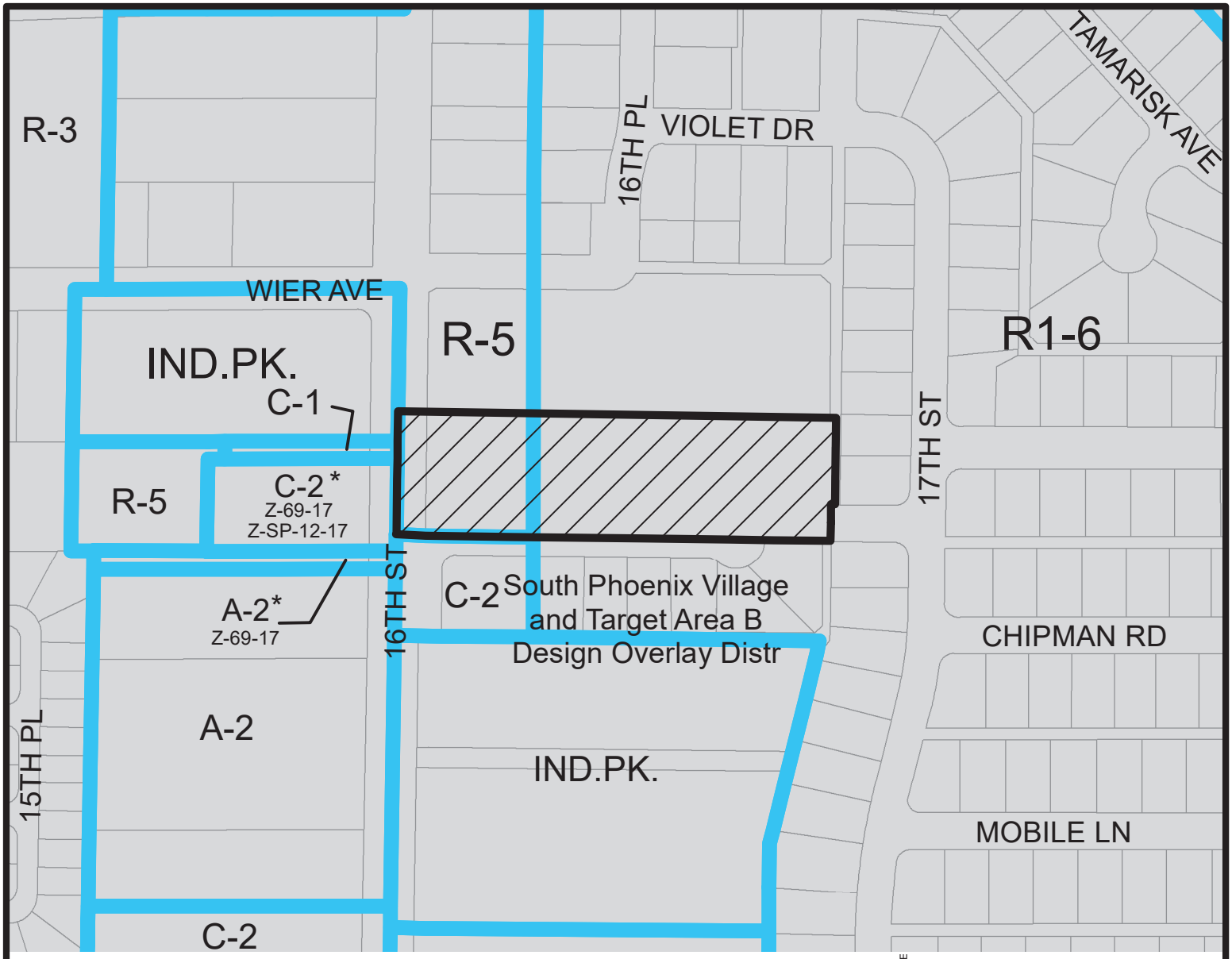
AERIAL PHOTO & QUARTER SEC. NO.: QS 4-31

ZONING MAP: E-9

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
R-5 SPVTABOD (Pending C-1), R1-6 SPVTABOD (Pending C-1)	34 (11), 9 (25)	40 (13), 11 (30)
C-1 DNS/WVR SPVTABOD	108	130

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

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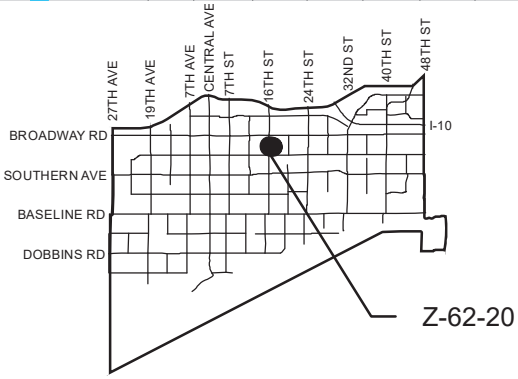


Miles

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SOUTH MOUNTAIN VILLAGE

CITY COUNCIL DISTRICT: 8



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME: Ran Edelman

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AERIAL PHOTO & QUARTER SEC. NO.: QS 4-31

ZONING MAP: E-9

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
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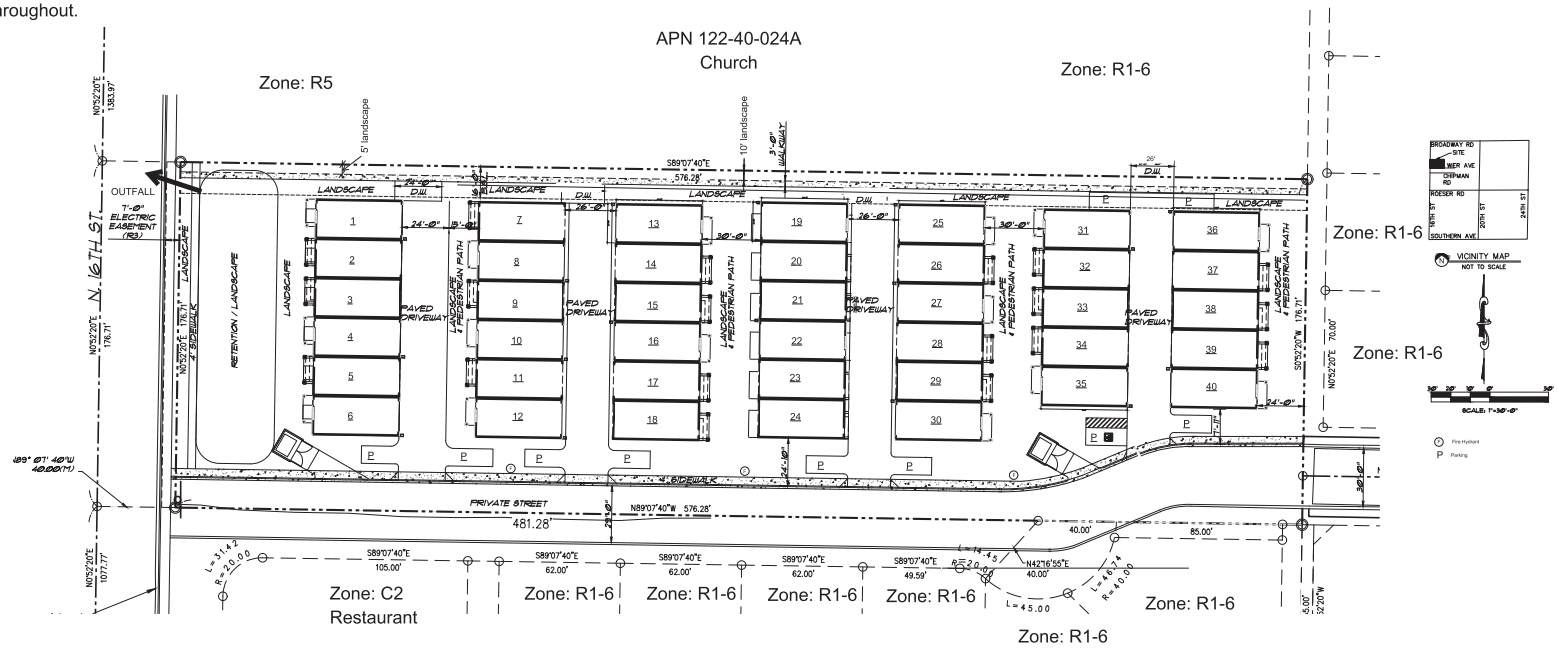
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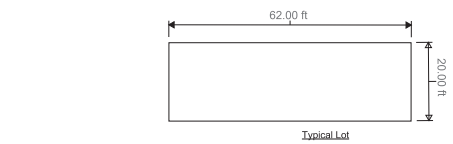
Conceptual Site Plan 4837 S 16th St Phoenix
South Mountain Shadows - Single Family Attached development
APN 122-46-015

A Portion of the NW Quarter of Section 27
Township 1N Range 3E of the G & SRB &M

South Mountain Shadows is a proposed forty (40)-units single-family-attached project situated at the NE corner of S 16th St and E Chipman Rd in Phoenix. The 2.5 acre site is zoned R-5, multifamily and R1-6. The site is currently vacant and surround by commercial to the West and South, a Church to the North and single family residential to the East. The proposed developed will consist of seven (7) single-family-attached buildings consisting of five (5) or six (6) two-story attached single family homes in each building. Access to the project will be through a proposed private-street, wide between S16th st and S 17 st. The individual houses access will be through a proposed twenty six feet (26') wide common driveway. Parking will be in a two (2) car garage with additional ten (10) guest parking.
The site will include a retention basin/ open space area, and landscaped throughout.

Owner:
Ran Edelman
5302 E. Van Buren St., #3023
Phoenix, AZ 85008
ranedelman@gmail.com
(408) 718-7525





Net Area: 101,834 SF 2.34 Acre
Gross Area: 2.5 Acre
Existing Zoning: R5 / R1-6
Proposed Zoning: C1 with density Waiver
Lot Sales: Y
Density: 16 Dwellings/ Acre, 40 total
Parking Required: 80 + 10 guest
Parking Provided: 80 in garages + 10 guest parking (1 ADA)
Building footprint: 1000sf
Lot Coverage: 40%
Height: 28' 2 stories

CITY OF PHOENIX
DEC 29 2020
Planning & Development Department

4837 S. 16th St. PHOENIX, AZ 85040

JOE A. REGAY
DESIGNER
(480)859-5861

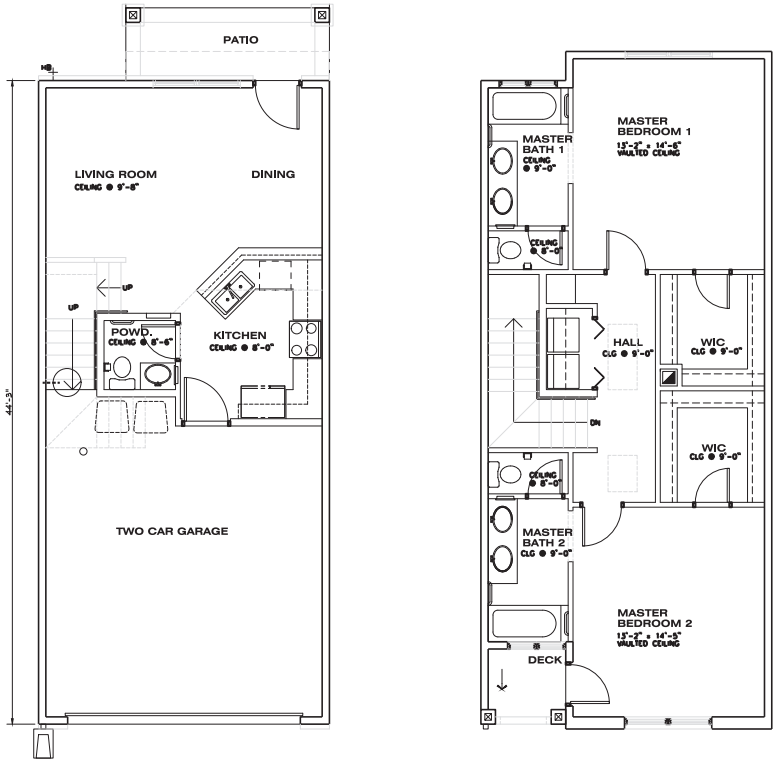
AE design
224 EAST JULIE DRIVE TEMPE, AZ 85283
480-559-3861 | EMAIL: joe@aedesign.net
https://aedesign.net/
SINCE 2012

layout	
JOE B. revisions	
date 5/19/20	
date	

JOB NUMBER:
20-0125

SHEET DESCRIPTION:

DATE:
JULY 31, 2020



FLOOR PLANS UNIT-1

5/16"= 1'-0"

CITY OF PHOENIX

NOV 09 2020

Planning & Development Department

4837 S. 16th St. PHOENIX, AZ 85040

JOE A. BEGAY
DESIGNER
(480)695-5661

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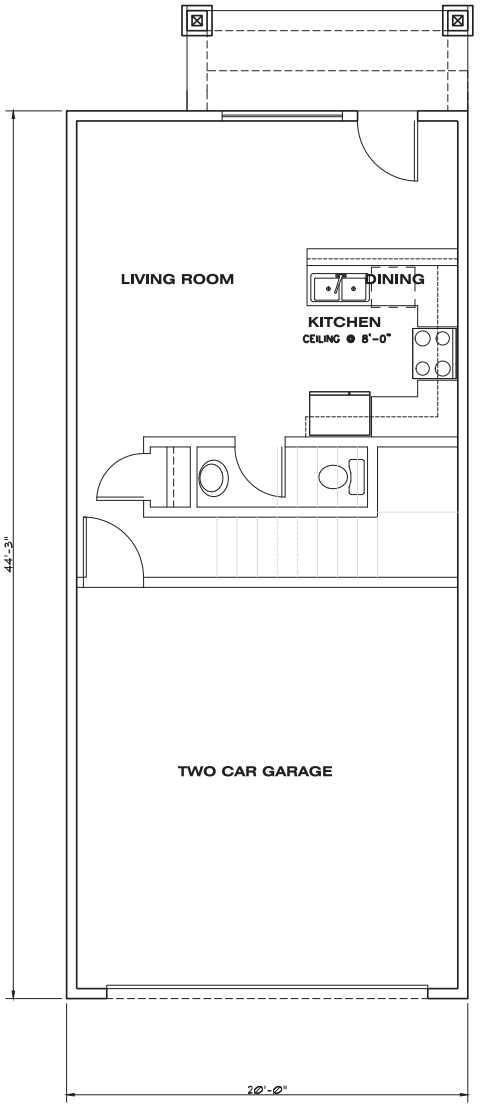
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9/15/20	JOE B.
date	revisions

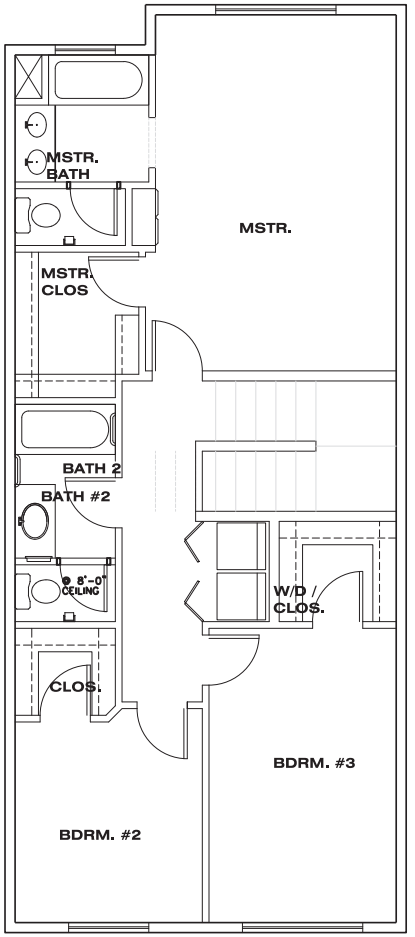
JOB NUMBER:
20-0125

SHEET DESCRIPTION:
FLOOR PLANS
UNIT-1

DATE:
JULY 31, 2020

A2





FLOOR PLANS UNIT-2

1/4"=1'-0"

CITY OF PHOENIX

NOV 09 2020

Planning & Development Department

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architecture, interior design, engineering
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480-695-5661 / EMAIL: joe@aedesign.net
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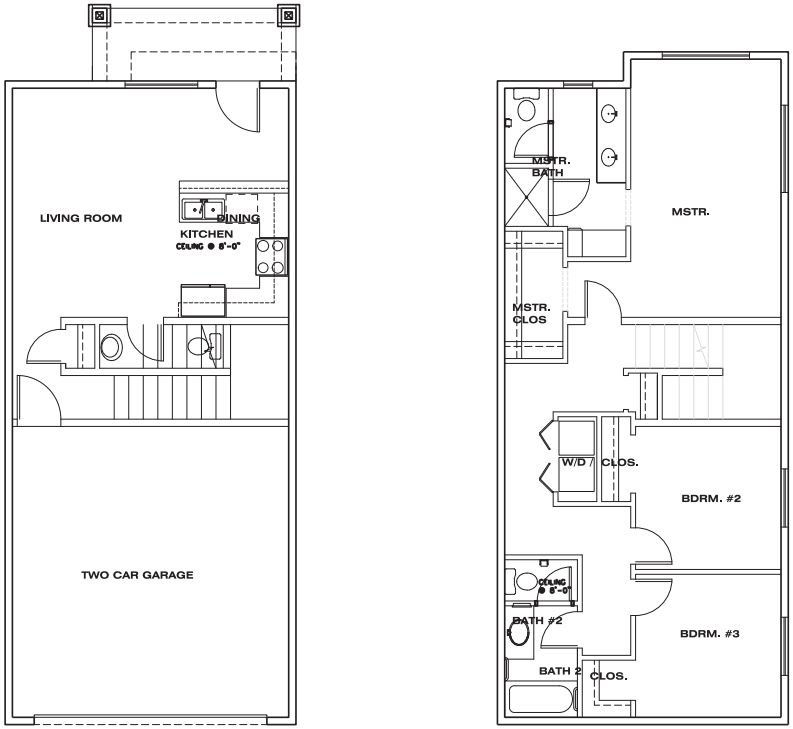
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9/15/20	JOE B.
date	revisions

JOB NUMBER:
20-0125

SHEET DESCRIPTION:
FLOOR PLANS
UNIT-2

DATE:
JULY 31, 2020

A3



FLOOR PLANS UNIT-3

1/4"=1'-0"

CITY OF PHOENIX

NOV 0 9 2020

Planning & Development Department

4837 S. 16th St. PHOENIX, AZ 85040

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(480)695-8661

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AIE design
architecture | interior design | engineering
224 EAST JULIE DRIVE TEMPE, AZ 85283
480-695-8661 / EMAIL: joe@aiedesign.net
http://aiedesign.net/
SINCE 2012

date	layout
5/15/20	JOE B.
date	revisions

JOB NUMBER:
20-0125

SHEET DESCRIPTION:
FLOOR PLANS
UNIT-3

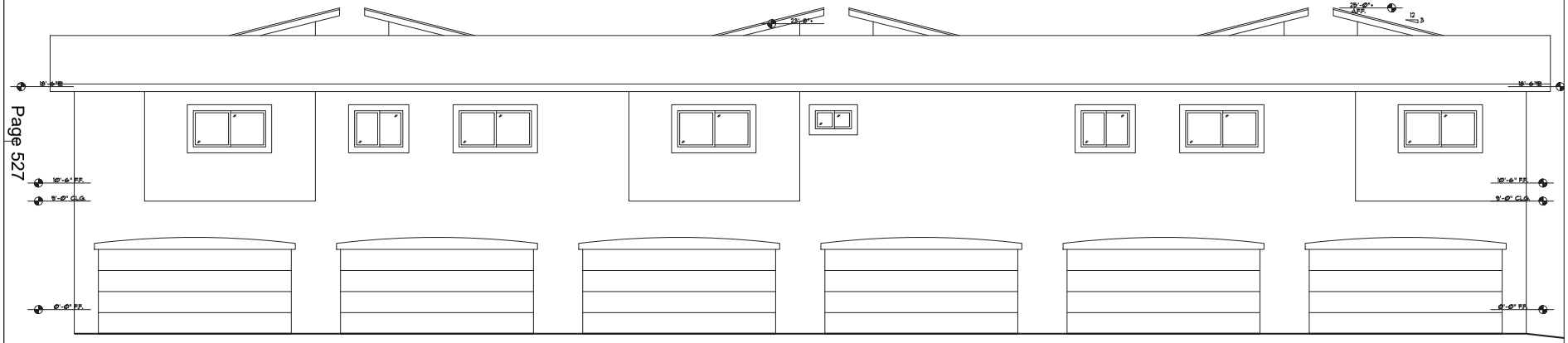
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JULY 31, 2020

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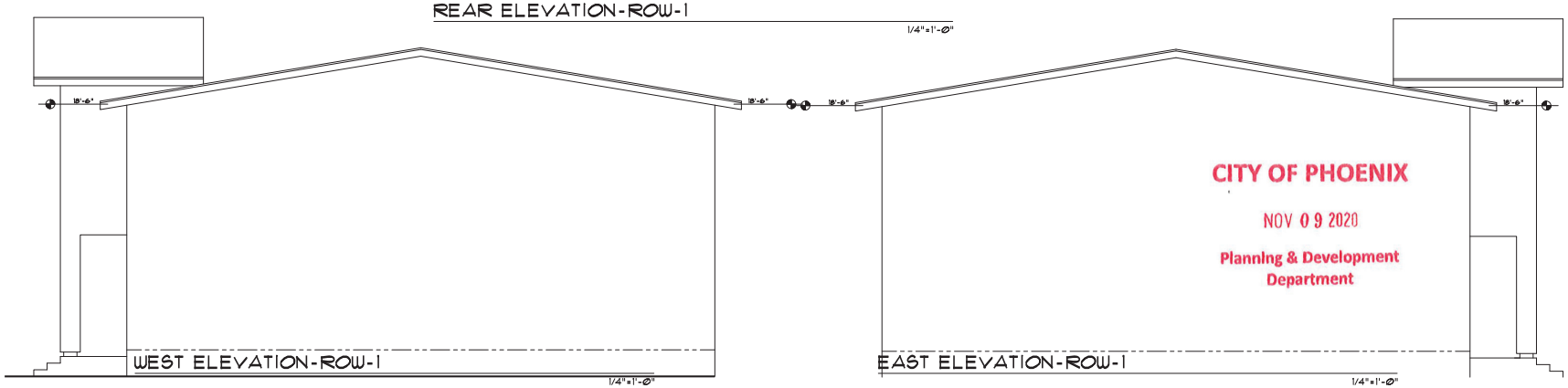
FRONT ELEVATION-ROW-1

1/4"=1'-0"



REAR ELEVATION-ROW-1

1/4"=1'-0"



WEST ELEVATION-ROW-1

1/4"=1'-0"

EAST ELEVATION-ROW-1

1/4"=1'-0"

CITY OF PHOENIX

NOV 09 2020

Planning & Development Department

4837 S. 16th St. PHOENIX, AZ 85040

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5/15/20	JOE B. revisions
date	

JOB NUMBER:
20-0125

SHEET DESCRIPTION:
ELEVATIONS
EXTERIOR

DATE:
JULY 31, 2020

A6



FRONT ELEVATION-ROW-2, 6

1/4"=1'-0"

CITY OF PHOENIX

NOV 09 2020

Planning & Development Department

4837 S. 16th St. PHOENIX, AZ 85040

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480-695-6861 / EMAIL: joe@aedesign.net
http://aedesign.net/
SINCE 2012

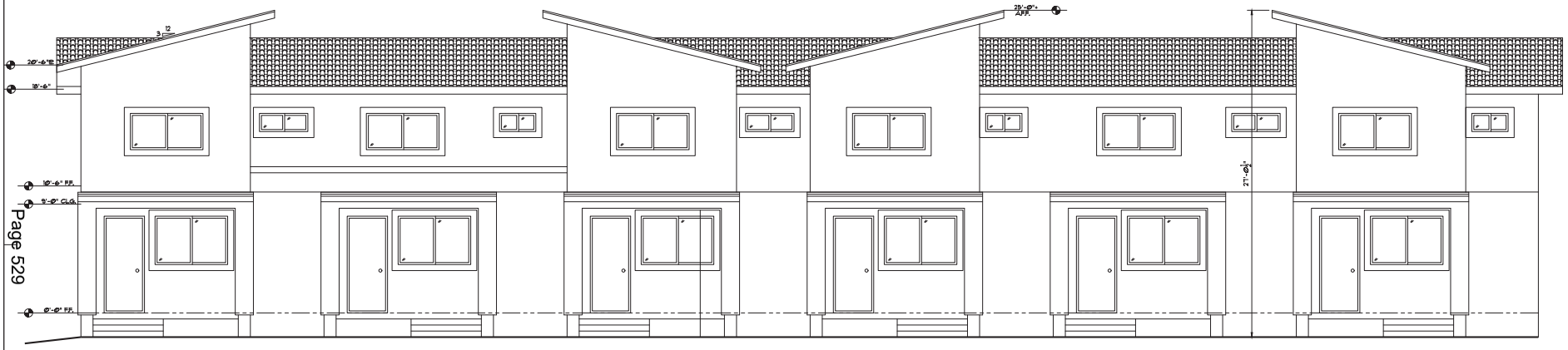
date	layout
8/19/20	JOE B.
date	revisions

JOB NUMBER:
20-0125

SHEET DESCRIPTION:
ELEVATIONS
EXTERIOR

DATE:
JULY 31, 2020

A1



FRONT ELEVATION-ROW-3, 5

1/4"=1'-0"

CITY OF PHOENIX

NOV 09 2020

Planning & Development Department

4837 S. 16th St. PHOENIX, AZ 85040

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SINCE 2012

date	layout
5/15/20	JOE B. revisions
date	

JOB NUMBER:
20-0125

SHEET DESCRIPTION:
ELEVATIONS EXTERIOR

DATE:
JULY 31, 2020

A8

Attachment C

South Mountain
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-62-20-8

Date of VPC Meeting	March 9, 2021
Request From	R1-6 SPVTABDO (Pending C-1 SPVTABDO) and R-5 SPVTABDO (Pending C-1 SPVTABDO)
Request To	C-1 DNS/WVR SPVTABDO
Proposed Use	Single-family attached residential
Location	Northwest corner of 16th Street and Chipman Road
VPC Recommendation	Continued to April 13, 2021
VPC Vote	19-0; None in dissent.

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Agenda items 7 and 8 were moved out of order in the agenda and heard together.

7) **Z-61-20-8 (Companion Case Z-62-20-8):** Presentation, discussion, and possible recommendation regarding a request to rezone approximately 2.50 acres located at the northeast corner of 16th Street and Chipman Road **from** R1-6 SPVTABDO (Single-Family Residence District, South Phoenix Village Target Area B Design Overlay) and R-5 SPVTABDO (Multifamily Residence District, South Phoenix Village Target Area B Design Overlay) **to** C-1 SPVTABDO (Neighborhood Retail, South Phoenix Village Target Area B Design Overlay) to allow multifamily or single-family residential.

8) **Z-62-20-8 (Companion Case Z-61-20-8):** Presentation, discussion, and possible recommendation regarding a request to rezone approximately 2.50 acres located at the northeast corner of 16th Street and Chipman Road **from** R1-6 SPVTABDO, pending C-1 SPVTABDO (Single-Family Residence District, South Phoenix Village Target Area B Design Overlay, pending Neighborhood Retail, South Phoenix Village Target Area B Design Overlay) and R-5 SPVTABDO, pending C-1 SPVTABDO (Multifamily Residence District, South Phoenix Village Target Area B Design Overlay, pending Neighborhood Retail, South Phoenix Village Target Area B Design Overlay) **to** C-1 DNS/WVR SPVTABDO (Neighborhood Retail, Density Waiver, South Phoenix Village Target Area B Design Overlay) to allow multifamily or single-family residential.

Chairwoman Patti Trites requested to continue cases Z-61-20-8 and Z-62-20-8 to the April 13, 2021 South Mountain Village Planning Committee meeting.

MOTION – Z-61-20-8
Ms. Shepard made a motion to continue case Z-61-20-8 to the April 13, 2021 meeting. **Mr. Brownell** seconded the motion.

VOTE:
16-3 Motion passes; Marcia Busching, Trent Marchuk and Shelly Smith in dissent.

MOTION – Z-62-20-8
Ms. Shepard made a motion to continue case Z-62-20-8 to the April 13, 2021 meeting. **Mr. Brownell** seconded the motion.

VOTE:
19-0 Motion passes; None in dissent.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

The South Mountain Village Planning Committee recommended a continuance on cases Z-61-20-8 and Z-62-20-8 to the April 13, 2021 meeting due to the time of the meeting that evening which ended at 10:55pm.

Attachment D

REPORT OF PLANNING COMMISSION ACTION
April 1, 2021

ITEM NO: 8	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	Z-62-20-8 (Companion Case Z-61-20-8)
Location:	Northeast corner of 16th Street and Chipman Road
From:	R-5 (Pending C-1) SPVTABOD and R1-6 (Pending C-1) SPVTABOD
To:	C-1 DNS/WVR SPVTABOD
Acreage:	2.50
Proposal:	Multifamily or single-family residential with a density waiver up to 40 units
Applicant:	Ran Edelman
Owner:	Ran Edelman
Representative:	Jon Conelly

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:
South Mountain 3/9/2021 Continued. Vote: 19-0.

Planning Commission Recommendation: Approval, per the recommendation in the staff report with an additional stipulation.

Motion Discussion: N/A

Motion details: Commissioner Howard made a MOTION to approve Z-62-20-8, per the recommendation in the staff report, with the additional stipulation as read into the record.

Maker: Howard
Second: Gorraiz
Vote: 8-0
Absent: Johnson
Opposition Present: Yes

Findings:

1. The requested C-1 DNS/WVR zoning is consistent with the Phoenix General Plan land use map designation of Mixed Use (Commercial/Commerce/Business Park) on the subject site.

2. This proposed infill development provides a new housing option that is consistent with surrounding developments and the Target Area B Redevelopment Plan.

3. The development, as stipulated, allows for an appropriate residential density that will help transition non-residential uses along 16th Street with the single-family detached subdivision east of the subject site.

Stipulations:

1. The development shall be limited to a maximum density of 40 dwelling units.

2. 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, to provide a decorative and aesthetic treatment.

    b. Building elevations adjacent and oriented towards 16th Street and the south property line, excluding drive aisles, shall contain a minimum of 25 percent brick, masonry, stone or another exterior accent material that exhibits quality and durability.

    c. All building elevations shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, pitched roofs and/or overhang canopies.

3. Building height shall be limited to two stories and 30 feet.

4. Individual units shall provide an entryway that is either elevated, depressed or includes a feature such as a low wall to accentuate the primary entrance, as approved by the Planning and Development Department.

5. There shall be no balconies on the upper floors of residential dwellings oriented towards the eastern property line.

6. The development shall provide a minimum 300-square foot ornamental feature along the northeast corner of 16th Street and Chipman Road or the Chipman Road alignment to include the following elements, as approved by the Planning and Development Department:

    a. A landscaped accent area, exclusive of perimeter landscaping and right-of-way, shall be provided. The landscaped accent areas shall provide a visually unique character with drought-tolerant plant materials providing seasonal interest and 75 percent live cover.

    b. The entry feature shall incorporate elements that may include, but are not limited to walls, architectural enhancements, art features, natural features such as boulders or fountains, or other uniquely identifying elements.

c. The entry feature shall utilize accents, colors and materials consistent with the adjacent development.

d. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions.

7. All perimeter walls visible from public streets 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.

8. The development shall include the following amenities and elements at a minimum, distributed between the open space area (s), as approved by the Planning and Development Department:

a. Two barbecue grills and two picnic tables.

b. Community garden areas of no less than a combined 200 square feet that will include a garden tool library, irrigation, and one bench or seating feature to enable year-round planting.

c. One pedestrian seating node containing at least one bench or seating feature and located within close proximity to Chipman Road or Chipman Road alignment.

d. Open space areas shall provide a minimum 50 percent shade, including amenity and seating areas, and a minimum of 50 percent live vegetative cover (shrubs, grasses, or groundcover plants).

9. The developer shall provide a system of pedestrian thoroughfares as described below and as approved or modified by the Planning and Development Department:

a. The developer shall provide a minimum of one pedestrian path connecting the sidewalk along 16th Street with residential units along the eastern property line via the most direct route.

b. Illuminated by pedestrian scale lighting per Section 1304(H)5 for the pathway connecting the site east to west.

c. Where pedestrian paths and vehicular crossings exist, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces. Vehicular crossings shall be kept to a minimum.

d. Pedestrian paths shall be shaded to a minimum of 75 percent using architectural shade and/or shade trees at full maturity.

e. Connections to/between:

(1) All residential dwellings;

(2) All amenity and active open space areas;

(3) The sidewalk along 16th Street;

(4) The sidewalk along Chipman Road or Chipman Road alignment;

f. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

10. The developer shall provide traffic calming measures at all vehicular points of ingress and/or egress to slow vehicles departing the development and crossing the public sidewalks, as approved by the Planning and Development Department.

11. The required landscape setback areas along 16th Street, Chipman Road, and the alley along the east property line shall be planted with drought-tolerant trees including minimum 75 percent 2-inch caliper and 25 percent 3-inch caliper, if the site develops as a residential use, as approved by the Planning and Development Department.

12. All sidewalks along 16th 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. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

a. Minimum 2-inch caliper large canopy shade trees placed a minimum of 25 feet on center or equivalent groupings to provide shade to a minimum 75 percent at full maturity.

b. Drought tolerant vegetation designed to grow to a maximum mature height of 24 inches and achieve 75 percent live coverage.

13. The developer shall dedicate 50 feet of right-of-way for the east side of 16th Street and provide a detached sidewalk as required by Cross Section D, as approved by the Planning and Development Department.

14. The Developer shall remove the existing driveway along 16th Street and construct a public street connection for Chipman Road.

15. The developer shall dedicate 25 feet of right-of-way for the north half of Chipman Road transitioning to a total 50-foot dedication to match the existing Chipman Road on the east side of the property.

16. The developer shall dedicate 6 feet along the alley on the eastern side of the development, as approved by the Planning and Development Department.

17. 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.

18. The developer shall record a Notice of Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property.

19. 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.

20. If determined necessary by the Phoenix Archeology 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 Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

21. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.

22. 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.

23. 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 Tamra Ingersoll at (602) 534-6648, TTY use 7-1-1.

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 125

Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-60-20-8 (Carver Canyon PUD) - Northwest Corner of 35th Avenue and Carver Road (Ordinance G-6861)

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-60-20-8 and rezone the site from R1-8 (Single-Family Residence District) to PUD (Planned Unit development) to allow single-family residential.

Summary

Current Zoning: R1-8 (Single-Family Residence District)
Proposed Zoning: PUD (Planned Unit Development)
Acreage: 19.35 acres
Proposal: Planned Unit Development to allow single-family residential

Owner: Virtua 35th, LLC
Applicant: Virtua 35th, LLC
Representative: Paul E. Gilbert, Beus Gilbert McGroder

Staff Recommendation: Approval, subject to stipulations.
VPC Info: The Laveen Village Planning Committee heard this case for information only on Dec. 14, 2020.
VPC Action: The Laveen Village Planning Committee heard this case on April 12, 2021 and recommended approval, per the staff recommendation with additional stipulations, by a vote of 5-2-1.
PC Action: The Planning Commission heard this case on May 6, 2021 and recommended approval, per the Laveen Village Planning Committee recommendation with modified stipulations, by a vote of 5-4.

Location

Northwest corner of 35th Avenue and Carver Road
Council District: 8
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-60-20-8) FROM R1-8 (SINGLE-FAMILY 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 19.35-acre site located at the northwest corner of 35th Avenue and Carver Road in a portion of Section 10, Township 1 South, Range 2 East, as described more specifically in Exhibit “A”, is hereby changed from “R1-8” (Single-Family 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 Carver Canyon 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 April 5, 2021, as modified by the following stipulations:

    a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: April 5, 2021; City Council adopted: [Add adoption date].

    b. Page 8, Delete “Churches/Places of Worship (pursuant to the restrictions of Section 608.E.1 of the Phoenix Zoning Ordinance; including, Pocket Shelters shall not be permitted)” from the Prohibited Uses list.

    c. Page 11, Hillside Treatment: Include the following statement at the bottom of this section: “This PUD is subject to all City of Phoenix Hillside Development Standards, including but not limited to density restrictions, which may require deviations from the included exhibits that have not been reviewed for hillside compliance. All hillside standards and requirements shall override all zoning standards, including conflicts with any of the PUD standards included within.”

    d. Page 8, Development Standards table: Modify Maximum Number of Lots to 56 Lots Total.

    e. Page 8: Development Standards Table: Modify Individual Lot Dimensions to reflect a minimum lot size of 8,700 square feet.

    f. Page 9, Development Standards Table: Modify Minimum Individual Lot Setbacks for Side Yard as follows: “6-Foot Minimum, 13 Feet Combined Minimum”.

    g. Page 12, Landscape Standards Table, Arterial Road Plantings: Modify Item No. 3 to require that all trees shall be minimum 2-inch caliper, and a minimum of 40 percent of all trees shall be minimum 3-inch caliper.

    h. Page 14, Exterior Walls: Modify first bullet so that each home shall include two alternative building materials in addition to the primary building material on all architectural elevations, plus garage enhancements such as window panels, color, added materials surrounding door, and trellises; and that the primary building material shall not exceed 75 percent of all front and exposed side elevations and street facing elevations.

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2. Carver Road and 35th Avenue are under MCDOT jurisdiction, the applicant shall submit verification of MCDOT approval for improvements prior to preliminary site plan approval.

3. The developer shall dedicate minimum 55 feet of right-of-way for the west half of 35th Avenue, as approved by the Planning and Development Department.

4. The developer shall dedicate minimum 40 feet of right-of-way for the north half of Carver Road, as approved by the Planning and Development Department.

5. The developer shall dedicate additional right-of-way and provide improvements to the 35th Avenue and Carver Road intersection as per geometric design approved by the Maricopa Department of Transportation. Provide approved design and verification of approval to the City of Phoenix, Street Transportation Department prior to preliminary submittal. The design will need to provide access to 35th Avenue south of Carver Road.

6. 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. Contact the Street Transportation Department to set up a meeting to discuss the requirements of the study. Upon completion of the TIS the developer shall submit the completed TIS to the Planning and Development Department counter with instruction to forward the study to the Street Transportation Department, Development Coordination Section.

7. The applicant shall complete and submit the Developer Project Information Form for the Maricopa Association of Governments Transportation Improvement Program. This form is a requirement of the Environmental Protection Agency to meet clean air quality requirements.

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. Clearly defined, accessible pedestrian pathways shall be provided to connect building public sidewalks and community amenities using the most direct route for pedestrians, as approved by the Planning and Development Department.

10. 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.

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11. 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.

12. 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.

13. 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.

14. Prior to final site plan approval, the property owner shall record documents that disclose to tenants of the site or purchasers of property within the site, the existence, proximity, and operational characteristics of active aviation uses in the Hangar Haciendas Units One, Two, and Three subdivisions located approximately 2,300 feet to the east of the subject property in Maricopa County. 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. Prior to final site plan approval, the property owner shall record documents that disclose to tenants of the site or purchasers of property within the site, the existence, proximity, and operational characteristics of active agricultural uses and non-domesticated animal keeping. 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.

16. The developer shall complete an enhanced drainage survey and hillside review that goes above and beyond the city requirements, as approved by the Planning and Development Department.

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 June, 2021.

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_____
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)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-60-20-8

A portion of the South half of GLO Lot 1 of Section 10, Township 1 South, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows;

COMMENCING at the East quarter corner of said Section 10 (3" brass cap in handhole) from which the Southeast corner of said Section 10 (3" aluminum cap stamped RLS 19344) bears South 00 degrees 00 minutes 04 seconds West a distance of 2639.90 feet; Thence South 00 degrees 00 minutes 04 seconds West along the East line of the Southeast quarter of said Section 10 a distance of 2075.32 feet to the **TRUE POINT OF BEGINNING**; Thence continuing South 00 degrees 00 minutes 04 seconds West along the East line of said South half of GLO Lot 1 a distance of 435.67 feet to the Northeast corner of that certain parcel described in Instrument 2007-0575240, records of said county; Thence South 51 Degrees 37 Minutes 57 Seconds West along the Northwest line of said certain parcel a distance of 208.56 feet to the Southwest corner of said certain parcel; Thence South 89 Degrees 48 Minutes 33 Seconds West along the South line of said GLO Lot 1 a distance of 1132.63 feet; Thence North 00 Degrees 00 Minutes 43 Seconds West along the East line of the West 40 acres of GLO Lot 1 and Lot 2 of said Section 10 a distance of 659.62 feet; Thence North 89 Degrees 47 Minutes 40 Seconds East along the North line of said South half of GLO Lot 1 a distance of 1246.30 feet to a point on the West line of the East 50.00 feet of said South half of GLO Lot 1; Thence South 00 Degrees 00 Minutes 04 Seconds West along last said West line a distance of 95.19 feet; Thence South 89 Degrees 59 Minutes 56 Seconds East perpendicular with said East line of GLO Lot 1 a distance of 50.00 feet to the **POINT OF BEGINNING**.

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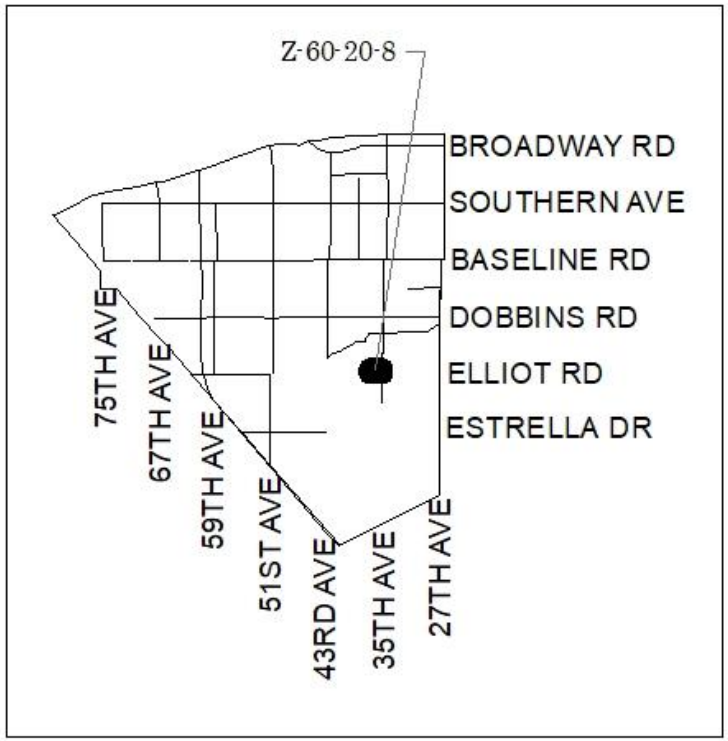
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-60-20-8
Zoning Overlay: N/A
Planning Village: Laveen





NOT TO SCALE

N

Drawn Date: 4/30/2021

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Attachment B

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-60-20-8 (Carver Canyon PUD)
April 7, 2021

Laveen Village Planning Committee **Meeting Date**	April 12, 2021
Planning Commission **Hearing Date**	May 6, 2021
Request From:	R1-8 (Single-Family Residence District) (19.35 acres)
Request To:	PUD (Planned Unit Development) (19.35 acres)
Proposed Use	Planned Unit Development to allow single-family residential development
Location	Northwest corner of 35th Avenue and Carver Road
Owner/Applicant	Virtua 35th, LLC
Representative	Paul E Gilbert, Beus Gilbert McGroder
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	35th Avenue	Arterial Scenic Drive	33-foot west half street
	Carver Road	Local Street	Varies, 35-56.6-foot northwest 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 proposed PUD will provide new housing options in Laveen while remaining respectful of the local surroundings. The maximum permitted density in the PUD narrative is below what is currently allowed under the existing zoning of the site, and several mitigating elements have been incorporated to help buffer the development from the surrounding community, such as generous open space areas and robust landscaping standards.

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; DESERT LANDSCAPE; DESIGN PRINCIPLE: Propose new design standards that address drainage, use of native plants, edge treatment, and access – both visual and physical – for private and public development adjacent to public preserves, parks, washes and open spaces.

The project site is located in close proximity to the Carver Mountains, and is situated along 35th Avenue, which is an arterial scenic drive. To ensure a natural transition from the mountains to the site and the preservation of the natural environment, the PUD proposes several enhanced standards that address the use and development of culverts, washes, and drainage channels, as well as special attention to hillside edge treatments.

CONNECT PEOPLE AND PLACES CORE VALUE; CANALS & TRAILS; DESIGN PRINCIPLE: Provide multi-use trail connections where appropriate.

This PUD proposes a multi-use trail along 35th Avenue, which will connect to the overall City of Phoenix trail system.

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.

This PUD sets forth enhanced landscaping and shade standards along the public street frontages, interior streets, and common open space areas.

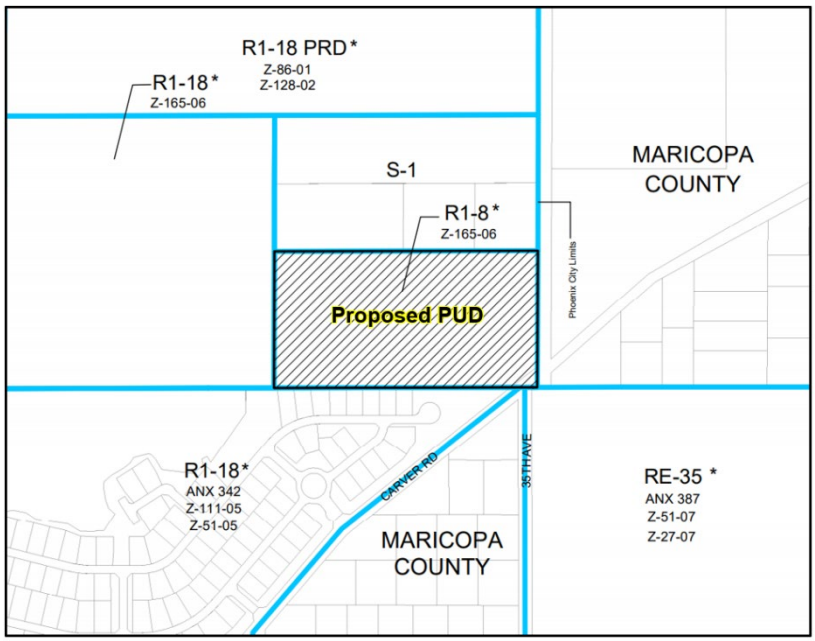
Applicable Plan, Overlays, and Initiatives
Laveen Southwest Growth Study – See Background Item No. 4.
Food Action Plan – See Background Item No. 8.
Housing Phoenix Plan – See Background Item No. 9.
Tree and Shade Master Plan – See Background Item No. 10.
Complete Streets Guiding Principles – See Background Item No. 11.
Zero Waste PHX – See Background Item No. 12.

Surrounding Land Uses/Zoning		
	Land Use	**Zoning**
On Site	Vacant, former mining site	R1-8
North	Vacant	S-1
South	Vacant (single-family subdivided land)	R1-18
East (across 35th Avenue)	Farmland and single-family residences	Maricopa County RU-43
West	Vacant	R1-18

Background/Issues/Analysis

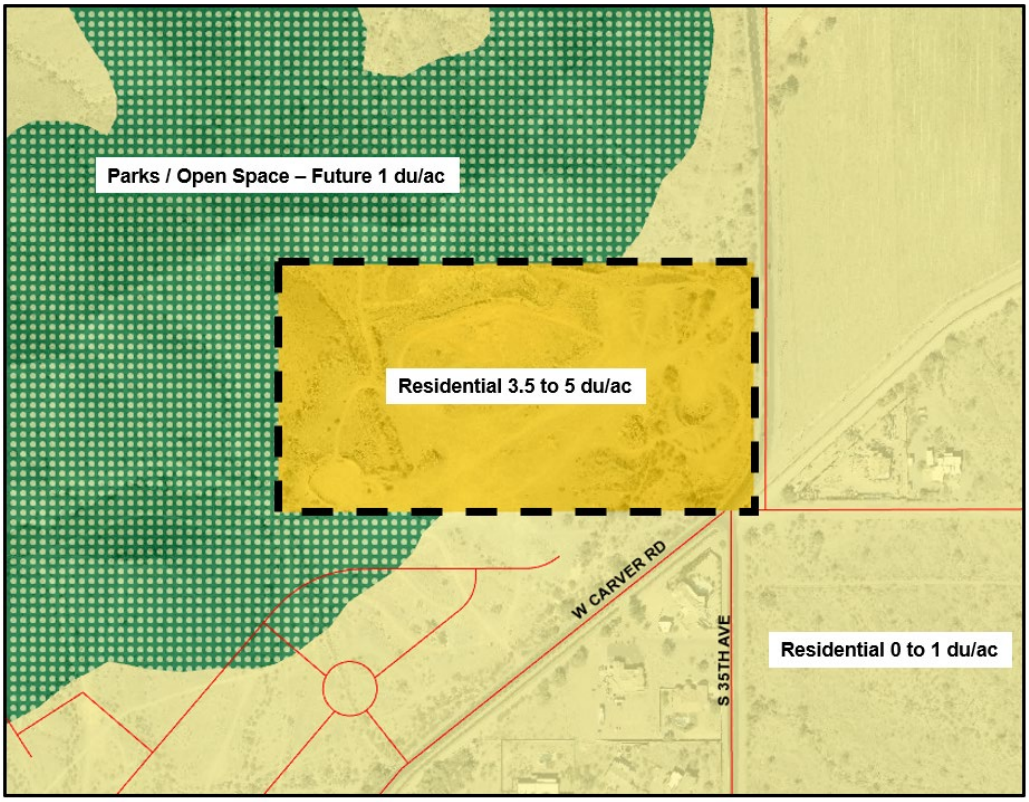
SUBJECT SITE

1. This request is to rezone a 19.35-acre site located at the northwest corner of 35th Avenue and Carver Road from R1-8 (Single-Family Residence District) to PUD (Planned Unit Development) to allow a single-family residential development.



Zoning 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 proposed PUD with a density of 3.15 dwelling units per acre is consistent with this designation.



General Plan Land Use Map
Source: City of Phoenix Planning and Development Department

The surrounding General Plan Land Use Map designations are as follows:

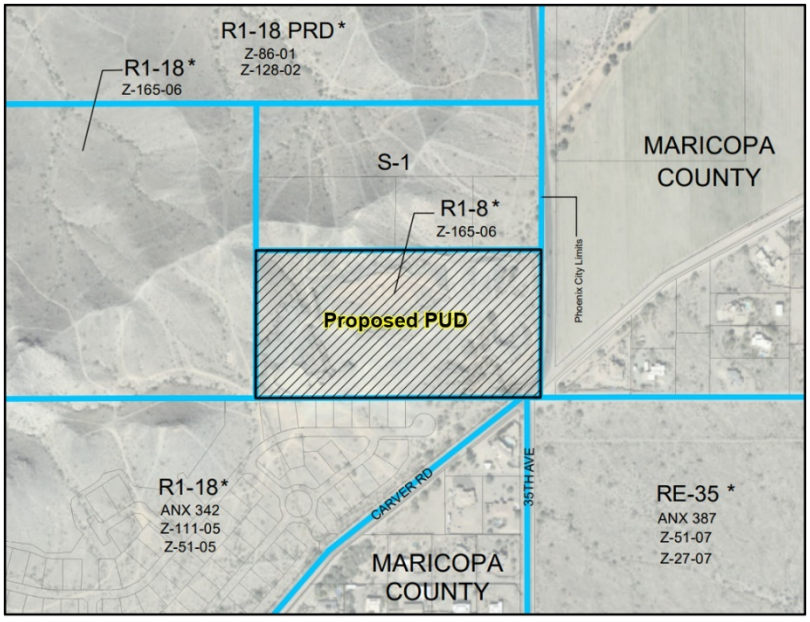
NORTH & SOUTH
Parks / Open Space – Future 1 du/ac, Residential 0 to 1 dwelling units per acre.

EAST
Residential 0 to 1 dwelling units per acre.

WEST
Parks / Open Space – Future 1 du/ac.

EXISTING CONDITIONS & SURROUNDING ZONING

3. The subject site is zoned R1-8 (Single-Family Residence District) and is currently vacant.



Source: City of Phoenix Planning and Development Department

The surrounding conditions are as follows:

NORTH
Vacant hillside properties zoned S-1 (Ranch or Farm Residence District).

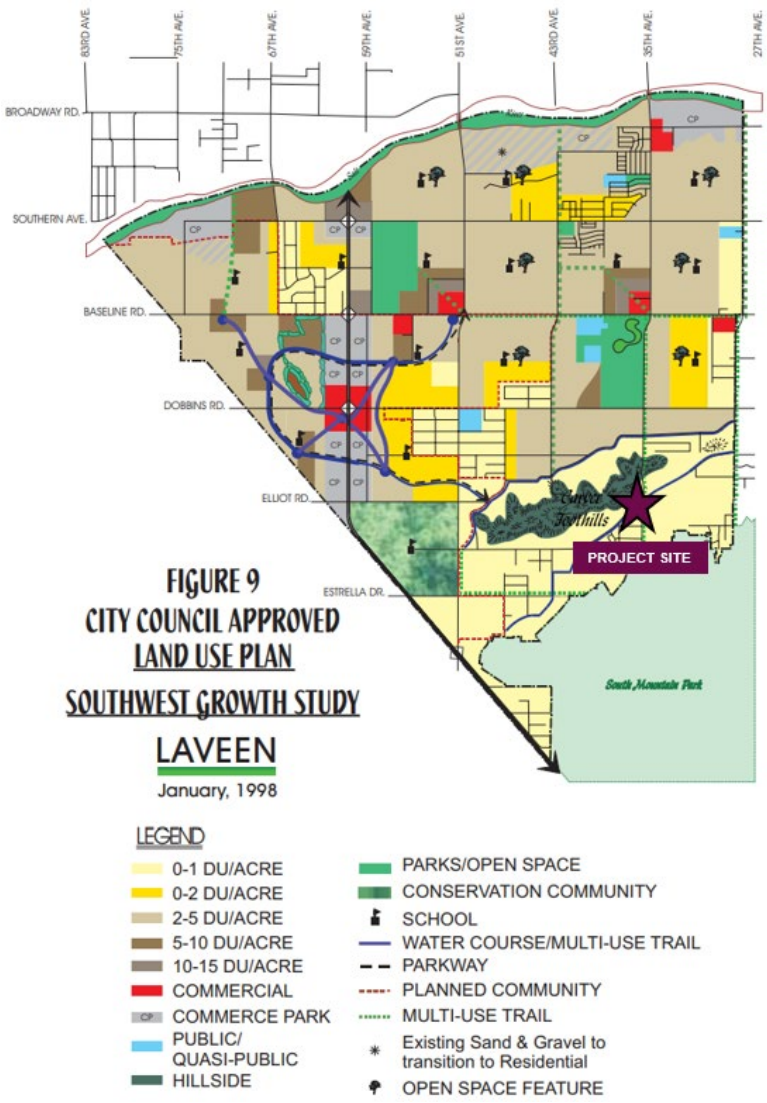
SOUTH
Vacant land zoned R1-18 (Single-Family Residence District).

EAST
Farmland and large-lot single-family residence homes that are outside the boundaries of the City of Phoenix and zoned Maricopa County RU-43 (One Acre Per Dwelling Unit).

WEST
Vacant hillside property zoned R1-18 (Single-Family Residence District).

LAVEEN SOUTHWEST GROWTH STUDY

4. The site is located within the boundaries of the Laveen Southwest Growth Study, which was developed in 1997 to analyze the existing conditions of the Laveen Village. It provides a land use and design planning framework to help shape the growth in Laveen, while accounting for newly annexed farmland as well as the future development of the South Mountain Freeway Loop, which has since been completed.



Source: City of Phoenix Planning and Development Department

This plan designates the project as Residential 0 to 1 dwelling units per acre, which calls for less density than the current General Plan Land Use Map designation of 3.5 to 5 dwelling units per acre. The proposal is not consistent with the Laveen Southwest Growth Study Land Use Plan. However, the PUD narrative incorporates several of the key elements from the study.

The Laveen Southwest Growth Study outlines specific design policies and standards for various types of developments that will enhance Laveen's built environment while remaining respectful of its agricultural heritage. The study encourages all new developments to use durable, high-quality building materials and to provide enhanced building design that will contribute to the character of the area. The Carver Canyon PUD proposes design standards that exceed those required by the Phoenix Zoning Ordinance, which are outlined in Background Item No. 7.e.

ZONING HISTORY

5. The subject site was rezoned to R1-8 in 2007 as part of a larger rezoning area via Rezoning Case No. Z-165-06-7. The stipulated site plan from this case depicted 22 one-acre lots on the R1-18 portion and 99 single-family detached units on the portion of the site that now corresponds to the boundaries of the proposed PUD. In 2019, the applicant submitted a Planning Hearing Officer (PHO-1-19—Z-165-06-7) application to modify the stipulations of entitlement from Rezoning Case No. Z-165-06-7 to facilitate development of the site at a density similar to the original stipulated site plan. The proposed site plan depicted 92 single-family detached residential units, with vehicular connections to the west and south of the site. The PHO application received opposition from the community. The community concerns expressed were as follows:

    - Amend the General Plan to reflect Residential 0-1 dwelling units per acre and Parks/Open Space;
    - Stipulation 19 regarding conditional approval upon development commencing within 48 months of City Council approval;
    - Deletion of Stipulation 19 breaks trust with Laveen residents;
    - Approval of the request means loss of local personality, culture, and pride;
    - Proposed housing density is too high for the area;
    - Residents only want to see 2,000+ square foot houses with generous lots and ample parking.

    The applicant subsequently modified the proposal in response to the community's concerns, reducing the density to a maximum of 63 single-family residential lots. The case was continued several times by the Planning Commission, then continued again by the City Council to give the applicant more time to work with community members to resolve their concerns. On October 7, 2020, the City Council continued the case to the April 17, 2021 hearing date to allow the applicant to pursue a "downzoning" of the site and reduce the maximum permitted density. The applicant has requested a continuance of this request to the June 2, 2021 City Council hearing date.

    The proposed PUD permits a maximum density of 61 lots, which is a further reduction from the previous proposed site plan for PHO-1-19—Z-165-06-7. The PUD development narrative also incorporates several development standards and design guidelines that the developer agreed to include after extensive discussions with Laveen Village Planning Committee members and members of the community.

Site plan submitted with PHO-1-19—Z-165-06-7
(November 21, 2019)



Revised site plan for PHO-1-19—Z-165-06-7
(May 26, 2020)



Source: Gilmore Planning and Landscape Architecture

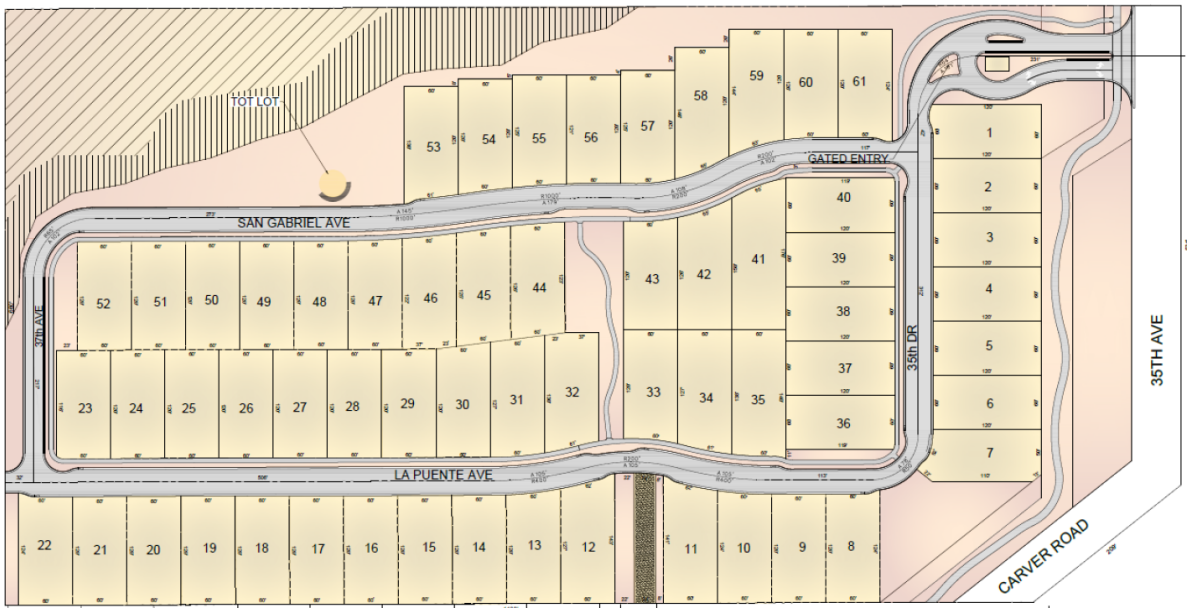
PROPOSAL

6. The proposal was developed utilizing the PUD zoning designation. The Planned Unit Development (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 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. Below is a summary of the proposed standards for the subject site as described in the attached PUD Development Narrative date stamped April 5, 2021. The PUD would allow single-family residential uses on the site. The comparative zoning district utilized in this staff report is R1-8 (Single-Family Residence District), PRD (Planned Residential Development) option.

a. <u>Land Use Plan</u>

The PUD proposes a single-family detached residential subdivision, with other limited permitted uses per Section 608 (Residence Districts) of the Phoenix Zoning Ordinance. Additionally, per staff's request, a community garden is a permitted use by right, and accessory sales of products cultivated on the site are permitted at a home produce stand within ten days of harvesting (removing the Zoning Ordinance requirement for a use permit). Special Permit uses and multifamily residential shall not be permitted in this PUD.



Conceptual Site Plan
Source: Gilmore Planning and Landscape Architecture

b. Development Standards

The proposed development standards in the PUD are comparable to the R1-8 (Single-Family Residence) zoning district, as the site plan was originally conceptualized based on this designation. Where the development standards deviate from this district, they do so to solidify the elements that the applicant worked on with the community during the PHO process.

Density

The PUD proposes a maximum of 61 single-family residential lots. This is a reduction of 2 additional lots from the most recently submitted site plan for the PHO case and is also more restrictive than the R1-8 district.

Building Height

The proposed building height is a maximum of two stories and 30 feet, with a limitation of one story and 15 feet for lots that are adjacent to 35th Avenue.

Lot Dimensions

The PUD proposes a minimum individual lot size of 6,050 square feet, minimum lot width of 55 feet, and minimum lot depth of 110 feet. These standards are more restrictive than the R1-8 district.

Lot Coverage

Individual residential lots shall have a maximum lot coverage of 40 percent for the primary structure, and a maximum of 50 percent including attached shade structures. This corresponds to the standards of the R1-8 district.

Minimum Perimeter Building Setbacks

The PUD proposes minimum perimeter building setbacks of 15 feet along the western perimeter, minimum 15 feet along the northern perimeter, and no minimum setback along the southern perimeter. To preserve the view corridors along 35th Avenue and Carver Road, and to minimize the impact of this development on the streetscape, the proposed minimum perimeter building setbacks for the two street frontages are 100 feet along 35th Avenue and 50 feet along Carver Road.

Perimeter Landscape Setbacks

The proposed perimeter landscape setbacks in this PUD correspond to the same perimeter building setbacks, with an allowance along the northern property line, where, within 220 feet of the northeast corner of the property and generally located by the main community entrance drive access point, there shall be a 10-foot average landscape setback.

Minimum Individual Lot Building Setbacks

The PUD proposes a minimum 10-foot front yard building setback, with a minimum 22-foot setback for residential lots where the garage is street-facing, and a

minimum 10-foot rear yard building setback. The front and rear yard setbacks shall be a minimum of 35 feet when combined. There is no minimum individual interior side yard setback, however when combined there shall be a minimum of 13 feet. The side yard setback for units siding the street shall be a minimum of 10 feet.

Open Space
The PUD proposes a minimum total open space of 26 percent of the entire site. The open space is further broken down into the following categories: 12 percent minimum usable open space, five percent minimum undisturbed open space, and 4 percent minimum rock slope open space area. This exceeds the open space requirements of the R1-8 district.

Lighting
This PUD outlines standards for both street and accent lighting, both of which are encouraged to be designed in a way to promote a “dark sky” environment within the development, including using low voltage lighting and shielded light sources.

Drainage Channels, Culverts, and Washes
This PUD sets forth a standard for developing drainage channels, culverts, and washes to be compatible with the existing natural environment, while minimizing the impact to the area.

Parking
Parking standards shall be in adherence to the Phoenix Zoning Ordinance.

Hillside Treatment
All hillside development standards within this PUD shall adhere to all City of Phoenix Hillside Development Standards, including but not limited to density restrictions, which may require deviations from the included exhibits that have not been reviewed for Hillside compliance. All Hillside Standards and Requirements shall override all zoning standards, including conflicts with any of the standards in this PUD narrative.

c. Landscape Development Standards

The proposed planting standards in this PUD are more robust than those required for single-family subdivisions in the Phoenix Zoning Ordinance.

Streetscape Planting Standards (35th Avenue and Carver Road)
This PUD proposes the following planting standards for landscape tracts located next to public streets:

- Minimum 60 percent two-inch caliper trees, and minimum 40 percent one-inch caliper trees planted 20 feet on center or in equivalent groupings;
- Minimum of five, five-gallon shrubs per tree

- Minimum 50 percent live groundcover

Open Space Planting Standards

The following minimum landscaping standards shall apply to open space areas and perimeter areas not along 35th Avenue and Carver Road:

- A mix of 10 percent three-inch caliper, 40 percent two-inch caliper, and 50 percent one-inch caliper trees:
    - Trees shall be planted at a minimum of one tree per 1,000 square feet of total landscape area;
    - Three-inch and two-inch caliper trees shall be placed so they provide a minimum of 40 percent shade for pedestrian pathways and open space gathering areas such as tot lots, benches, and picnic tables.
- Minimum of five, five-gallon shrubs per tree
- Minimum 50 percent live groundcover
- The use of turf is limited to a maximum of 50 percent of the total landscape area

Interior Streetscape Planting Standards

This PUD proposes standards for interior streetscape standards for both attached and detached sidewalks. For attached sidewalks, minimum 2-inch caliper trees shall be planted at a minimum of one per lot, or at 60 feet on center. These plantings will be maintained by the homeowners' association. For detached sidewalks, the landscape strip between the sidewalk and back of curb shall be planted with minimum two-inch caliper trees, placed 20 feet on center or in equivalent groupings, with five, five-gallon shrubs per tree, and minimum 50 percent live groundcover. Both of these standards exceed those required by the Zoning Ordinance for single-family subdivisions.

Shade

This PUD proposes landscape design standards to ensure that all sidewalks, pedestrian pathways, and communal outdoor areas are shaded at 50% at full tree maturity.

d. Circulation

Pedestrian Pathways

The PUD proposes to provide detached sidewalks along a minimum of one side of all internal streets, as well as pedestrian connections to the main common open space area. Additional approvals for the design of internal streets may be needed where the requirements of the PUD narrative are not clear. An additional pedestrian pathway will be provided, connecting the southernmost residential lots to the open space area located on the northwestern portion of the site. The right-of-way along 35th Avenue and Carver Road falls within Maricopa County jurisdiction, so sidewalk standards for this area have not been included in the PUD narrative, as they will be

subject to Maricopa County Department of Transportation review and approval. In the event sidewalks are not required along these street frontages, a 10-foot-wide multi-use trail will be constructed within the boundaries of the property along 35th Avenue, which will be able to serve as a public pedestrian pathway.

Multi-Use Trail
A 10-foot-wide multi-use trail within a 30-foot multi-use trail easement shall be provided along 35th Avenue.

Vehicular Circulation
The project will provide a vehicular connection to the property directly adjacent to the west, as it does not have any street frontage. This PUD proposes to provide a connection that will terminate as a stub street until the property to the west is developed, at which point a connection can be completed.

e. Design Guidelines

The PUD contains design guidelines addressing building facades, which are intended to enhance the visual interest of the structures, mitigate the impact of building massing and height, and provide a high-quality design. Guidelines include consistency with the Southwest Contemporary theme of the community, building elements that appear to be drawn from the local climate and terrain, breaking up of building masses, and ground-mounted mechanical equipment that shall be fully screened from view.

The proposed design guidelines within this PUD are consistent with many of those outlined in the Laveen Southwest Growth Study. The following elements from the Study have been incorporated into the design guidelines of this PUD: the use of durable, permanent, high quality materials, lot design that follows natural topography, and a minimum of two building materials for architectural elevations.

Walls, Fencing and Railing
This PUD proposes screen walls that shall not exceed six feet in height, and that all screen walls and fencing shall be compatible in style and materials with the overall theme of the community and each individual home.

f. Signage

The PUD proposes conformance with the Section 705 of the Phoenix Zoning Ordinance.

AREA PLANS, OVERLAY DISTRICTS, AND INITIATIVES

8. **Phoenix Food Action Plan**

In 2016, Phoenix City Council adopted the 2050 Environmental Sustainability Goals, including a Local Food System Goal to maintain a healthy, sustainable, equitable, and thriving local food system. To support this effort, the City has created

its first 2025 Food Action Plan to outline actions and policies, develop and enhance partnerships, to support people most impacted by food insecurity and hunger, and to achieve the goals of access to healthy food for everyone in Phoenix. Per staff's recommendation, this PUD has included permitted land uses that promote the growth and cultivation of food locally.

9. **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 the city's housing stock.

10. **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. The proposal includes enhanced planting standards along external and internal streets, as well as landscaping in common areas to provide shade where there are pedestrian pathways and community gathering spaces.

11. **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 support these principles related to pedestrian connectivity and safety, the development proposes a gated vehicular entry off of 35th Avenue, which will require cars to slow down and stop before entering or exiting the community, detached sidewalks along at least one side of each street, which will be shaded with large caliper trees, and a shaded multi-use trail along 35th Avenue.

12. **Reimagine Phoenix**
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. Add details on proposal. This PUD proposes single-family residential homes, which will be serviced by the City of Phoenix Public Works Department, Solid Waste Division.

COMMUNITY INPUT SUMMARY

13. At the time this staff report was written, staff received 21 letters in opposition to the development. The main points of concern are as follows:
    - The density and lot sizes are incompatible with the surrounding neighborhoods;
    - The proposed PUD is not an improvement of the previous PHO case, but rather a repackaging of the same development proposal;
    - The proposed site plan does not work with the natural contours of the site;
    - The applicant has not provided adequate open space or landscape buffers;
    - The proposal is inferior to a conventional zoning case and is not in the best interest of the community.

INTERDEPARTMENTAL COMMENTS

14. 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.

15. The City of Phoenix Floodplain Management division of the Public Works Department has determined that this parcel is not in a Special Flood Hazard Area (SFHA), but is located in a Shaded Zone X, on panel 2660 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013.

16. The Phoenix Public Transit Department has required that the developer provide clearly defined, accessible pedestrian pathways that connect all sidewalks and community amenities to provide a safe and direct route for pedestrians. Further, where pedestrian paths cross drive aisles (not individual residential driveways), they shall be constructed in a manner so as to visually contrast with the adjacent parking and drive aisle surfaces. These requirements are addressed in Stipulation Nos. 9 and 10.

17. The Phoenix Street Transportation Department has required that the developer dedicate 55-feet of right-of-way on the west half of 35th Avenue and 40-feet of right-of-way on the north half of Carver Road. Since Carver Road and 35th Avenue are under MCDOT jurisdiction, additional right-of-way dedication and improvements shall be approved by the Maricopa County Department of Transportation and verification of approval shall be provided to the City of Phoenix Street

Transportation Department prior to preliminary submittal. Further, the applicant shall be required to submit a Traffic Impact Study, as well as a Developer Project information Form for the Maricopa Association of Governments Transportation Improvement Program, which is a requirement of the Environmental Protection Agency to meet clean air quality requirements. Also, all streets shall be updated to meet current ADA guidelines. These requirements are addressed in Stipulation Nos. 2 through 8.

MISCELLANEOUS

18. 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. 11, 12, and 13.

19. The project site is located in close proximity to a privately owned airstrip with active aviation uses. The developer will be required to disclose these aviation uses to all prospective home buyers. This is addressed in Stipulation No. 14.

20. Several of the nearby properties are agricultural in nature and include housing of non-domesticated animals. The developer will be required to disclose this to all prospective homebuyers. This is addressed in Stipulation No. 15.

21. 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 in regard to lot space and density.

22. 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 PUD is consistent with the General Plan Land Use Map designation of 3.5 to 5 dwelling units per acre.

2. The maximum permitted density within this proposal is significantly less than what is permitted by right under the site's current zoning designation.

3. The proposal effectively solidifies the development standards that were developed as a collaboration between the applicant and members of the community over a year-long PHO process.

Stipulations

1. An updated Development Narrative for the Carver Canyon 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 April 5, 2021, as modified by the following stipulations:

    a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: April 5, 2021; City Council adopted: [Add adoption date].

    b. Page 8, Delete "Churches/Places of Worship (pursuant to the restrictions of Section 608.E.1 of the Phoenix Zoning Ordinance; including, Pocket Shelters shall not be permitted)" from the Prohibited Uses list.

2. Carver Road and 35th Avenue are under MCDOT jurisdiction, the applicant shall submit verification of MCDOT approval for improvements prior to preliminary site plan approval.

3. The developer shall dedicate minimum 55-feet of right-of-way for the west half of 35th Avenue, as approved by the Planning and Development Department

4. The developer shall dedicate minimum 40-feet of right-of-way for the north half of Carver Road, as approved by the Planning and Development Department.

5. The developer shall dedicate additional right-of-way and provide improvements to the 35th Avenue and Carver Road intersection as per geometric design approved by the Maricopa Department of Transportation. Provide approved design and verification of approval to the City of Phoenix, Street Transportation Department prior to preliminary submittal. The design will need to provide access to 35th Avenue south of Carver Road.

6. 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. Contact the Street Transportation Department to set up a meeting to discuss the requirements of the study. Upon completion of the TIS the developer shall submit the completed TIS to the Planning and Development Department counter with instruction to forward the study to the Street Transportation Department, Development Coordination Section.

7. The applicant shall complete and submit the Developer Project Information Form for the Maricopa Association of Governments Transportation Improvement Program. This form is a requirement of the Environmental Protection Agency to meet clean air quality requirements.
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. Clearly defined, accessible pedestrian pathways shall be provided to connect building public sidewalks and community amenities using the most direct route for pedestrians, as approved by the Planning and Development Department.

10. 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.

11. 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.

12. 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.

13. 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.

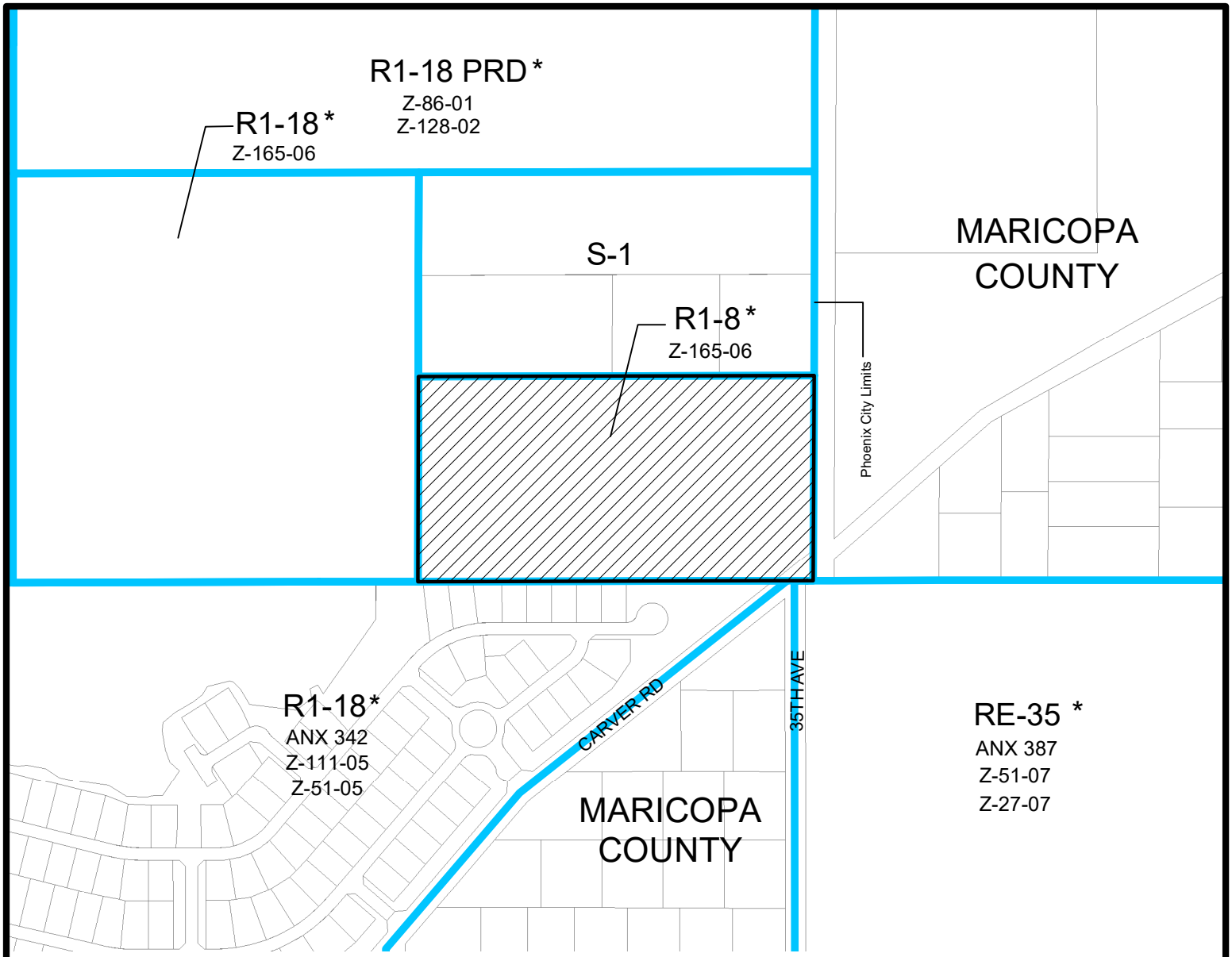
14. Prior to final site plan approval, the property owner shall record documents that disclose to tenants of the site or purchasers of property within the site, the existence, proximity, and operational characteristics of active aviation uses in the Hangar Haciendas Units One, Two, and Three subdivisions located approximately 2,300 feet to the east of the subject property in Maricopa County. 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. Prior to final site plan approval, the property owner shall record documents that disclose to tenants of the site or purchasers of property within the site, the existence, proximity, and operational characteristics of active agricultural uses and non-domesticated animal keeping. 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

Writer
Sofia Mastikhina
April 7, 2021

Team Leader
Samantha Keating

Exhibits
Sketch Map
Aerial Map
Community Correspondence (41 pages)
Carver Canyon PUD Development Narrative date stamped April 5, 2021



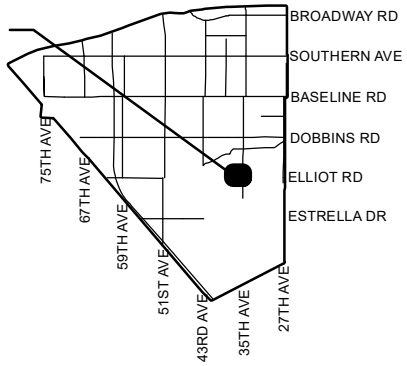
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LAVEEN VILLAGE

CITY COUNCIL DISTRICT: 8

Z-60-20



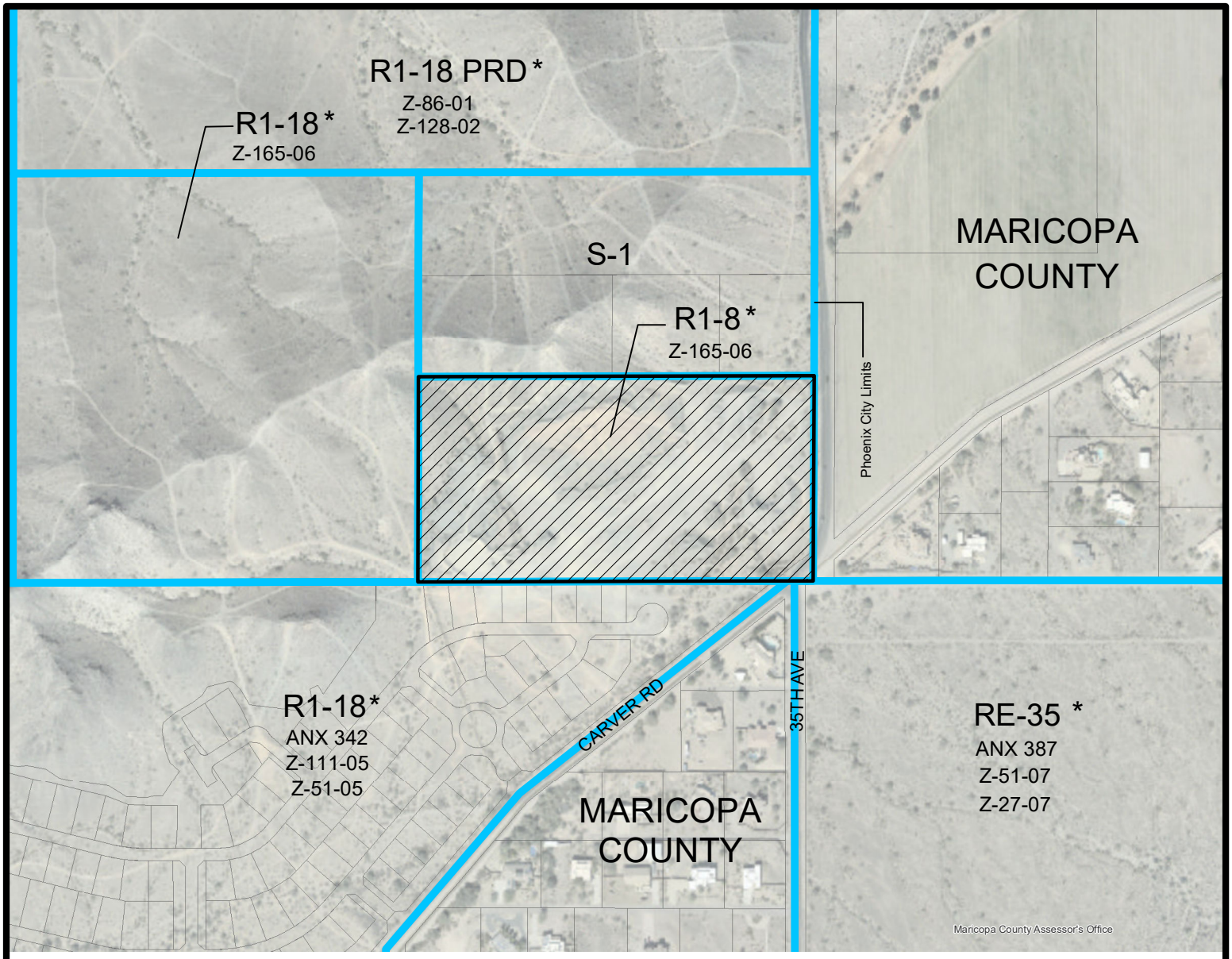
City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME: Virtua 35th LLC	**REQUESTED CHANGE:** FROM: R1-8 (19.35 a.c.)
APPLICATION NO. Z-60-20	DATE: 1/29/2021 REVISION DATES:
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 19.35 Acres	AERIAL PHOTO & QUARTER SEC. NO. QS 04-20 / ZONING MAP C-6
	TO: PUD (19.35 a.c.)

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
R1-8	83	106
PUD	61	N/A

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

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LAVEEN VILLAGE

CITY COUNCIL DISTRICT: 8

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Z-60-20



APPLICANT'S NAME:	Virtua 35th LLC
APPLICATION NO.	Z-60-20
DATE:	1/29/2021
REVISION DATES:	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.	19.35 Acres
AERIAL PHOTO & QUARTER SEC. NO.	QS 04-20
ZONING MAP	C-6

REQUESTED CHANGE:

FROM: R1-8 (19.35 a.c.)

TO: PUD (19.35 a.c.)

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
R1-8	83	106
PUD	61	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\2020\Z-60-20.mxd

10 December 2020

Re: Case Z-60-20, “Carver Canyon” PUD Zone Request

To whom it may concern:

My name is Ben Fisher and I am a property owner in multiple states and my primary residence is in Laveen, AZ. I hope this message finds you and your loved ones well amidst the pandemic.

Regarding the aforementioned case, I have reviewed the Applicant’s Narrative for the proposed project, explaining in basic detail about the intent of the ~19 acres located at the NW Corner of 35th Avenue and Carver Road; in the previous reference of concerns brought by neighbors, I find myself largely concerned about this development.

“The proposed Carver Canyon PUD’s 61 residential lot subdivision will be below this land use designation (i.e., 3.13 du/ac).” It sounds as though the proposed plan consisting of 61 residential lot subdivision is more consistent with developments which would be located in Central Phoenix or closer to the urban/suburban city locale, which, the volume of homes in the net area of 18.5319 acres the total lot area is only 10.3543 acres for 61 homes. For Laveen, this is a concerning because of the large density in a small area. While it holds true other local developments have similar lot/parcel sizes, these subdivisions are also not consistent with the rich agrarian history that Laveen is striving to support.

Please use parcel viewer for Highland Estates at 20th Street and Highland, Wellington Place at 3rd Avenue and Cambridge, and Campus Vista at 11th Avenue and Catalina. Each of those developments are R1-6, however these lot sizes are larger than what is requested in the change for Carver Canyon. The lot minimum width and depth is 55x110 which totals to 6,050 sq ft lot per dwelling, which does not blend in with the existing development of the surrounding area. Parcel sizes in Campus Vista are as large as ~9,000 sq ft.

- Parcel 300-15-135 is zoned as RU-43 and consists of 76,092 sq ft lot. This parcel is east of the proposed Carver Canyon.
- All parcels located on the east/southeast side of Carver and 35th are no less than an acre (43,560 sq ft), and a max of 3 homes per acre doesn’t blend with the existing environment.

“The Laveen Southwest Growth Study also provides a framework for an overall multi-use trail system which will help connect the community together as well as assets such as: parks/open space areas and the South Mountain Preserve. The proposed Carver Canyon PUD will be in line with the General Plan and the final development plan will provide a multi-use trail along the eastern perimeter of the proposed subdivision (i.e., along 35th Avenue and Carver Road), which will connect up to future trails to be built south…”

- There is no guarantee in this statement a plan a multi-use trail. I’m concerned that if a scope change occurs as this progresses, this proposed trail would meander through the proposed development, thereby disallowing community members outside of Carver Canyon use of the said pathways should the Carver Canyon Development be considered a Private or Gated Community.
- It has also been my experience, in surrounding mass-residential developments (Such as Dobbins Point) the HOA has posted signage conveying the area is exclusive to residents only. Again, if scope changes and the trail is moved through the development AND the development is an

exclusive gated community, then this will go against connecting the community together as outlined in the Laveen Village Character Plan.

- Due to the uncertainty of vehicle drivers driving on 35th Avenue and going over the 'hill' to segue onto Carver road I would be very concerned to be walking the trail outlined under exhibit 'A' – Page 20 due to the risk of a careless driver.

"Examples of Southwest Contemporary Architecture*": The designs listed on page 14 does not resonate with the agricultural, farming and ranch-styles Laveen should continue to retain. A classic example Laveen has historically fought for is the farm and ranch style mandated on the local Walmart at 35th Avenue south of Southern which is not aligned with the generic Walmart Supercenters we've come to know. Continuing a Ranch and Farm Style would most certainly make a subdivision like this more of a point of pride as the proposal conveys.

Page 17, Section H: "The proposed Carver Canyon PUD's is lower than the original rezoning (i.e., 61 residential lots vs. 99 residential lots previously approved) and will not impact the level-of-service in the area (i.e., 35th Avenue and Carver Road). As such, the proposed 61 residential lots will have no impact to traffic. Moreover, improvements to the ½-streets will be completed with this residential community and will help to enhance vehicular flow. "

- 61 homes, times generally two vehicles per single family home = approximately 122 additional vehicles (or more) driving on 35th Avenue/Carver Road as a thoroughfare. The hill changing from 35th Avenue to Carver Road and the curvature of the road can be a dangerous road. Especially at night and when intoxicated drivers are present or drivers who may not pay attention (e.g. Texting) – which is common in this area.
- The four-way stop in the morning and evening commute at 35th Avenue and Dobbins is also chaotic 'today' (not factoring in the Pandemic). Oftentimes drivers do not comprehend road rules as it comes to vehicles in all four directions at a 4-way stop, and the backup of traffic on Northbound 35th Avenue at Dobbins Road, on East and Westbound Dobbins Road is stressful today to existing residents.
- I have also personally witnessed a complete disregard to the four-way stop at Dobbins Road and 35th Avenue – for traffic coming from Carver Road at hours in the late evening and early morning. I have seen drivers going through without stopping as the driver was checking for social media updates.

The above taken into consideration, with an additional 122 vehicles using the road, there most definitely will be an impact and I strongly recommend the City Of Phoenix Transportation Department revisit and complete an updated analysis/study as much as changed in the area since 2007. The currently existing residents will not respond well to more vehicles traveling this route.

I certainly realize that Developers, Engineers, Land Owners, Planners and Graphic Artists may have high-stakes in terms of financial incentives to pack homes tightly to generate highest revenue as possible (as a capitalist our goal is financial success – I get that), though Laveen is not suited towards this. I do not support the change from R1-8 to PUD and in fact believe the number of units/overall density should be decreased closer to two (2) units per acre. Or less. Laveen's focus going forward should be to restrict future development to stand and closely align with its farming and agricultural history. A development with 61 homes contained in less than 19 acres does not honor that heritage.

I appreciate you taking the time listening to me voice my concerns as the community at large is very charged to increased development – especially those who had built homes here as early at the 1950's,

60’s and 70’s, when some of these residents can remember a time when they could see the Milky Way in the nighttime skies of Laveen nearly until the 1990’s.

Thank you kindly and sincerely yours,



Benjamin Fisher
4745 W. Piedmont Drive
Laveen, AZ 85339
benjamin_fisher@hotmail.com

Sofia Mastikhina

From: Elizabeth Banta <ebanta3938@gmail.com>
Sent: Friday, December 11, 2020 7:55 AM
To: Sofia Mastikhina
Subject: PUD case Z-60-20-8

Good morning. This email is regarding PUD case Z-60-20-8. I wish to register to speak at the meeting scheduled for Dec 14th at 6:30 p.m.. (or to be able to donate my time to another speaker). I urge the City of Phoenix including the Laveen Planning Village to treat our community like the precious place that it is. Yes, property owners' rights are important - including those of people who already live in the community. Please work to preserve an area that is truly unique to the Valley. Drive in the area if you have not already done so. You have power to make a real difference through your actions. Thank you for your consideration. My feedback is consistent with many of my neighbors, as follows. I am grateful to my neighbors who have spent countless hours following the nuances of the developer's efforts, as well as responses of city decision-makers and staff, and together we have provided input and recommendations. Consider the following:

- The number of lots and the density is still too high
- The proposed 61 lots at 3+ du/a is still completely incompatible with the area.
- This plan is not a reduction in zoning (aka: down-zoning). It is simply a repackaging of the previous inferior site plan from case PHO-1-19-Z-165-06-7/8.
- The applicant continues to ignore the community and our proposal of 46 lots at R1-18 zoning, which is compatible with the area, and is an executable site plan with conforming stipulations.
- The applicant has not incorporated the stipulations from case PHO-1-19-Z-165-06-7/8 which they previously agreed to.
- The applicant has not incorporated the Laveen Residential Guidelines that have been sanctioned by Planning Staff and the LVPC.
- The proposed site plan does not work with the elevations and contours of the site.
- The applicant has not addressed how to treat the escarpment.
- The applicant has not addressed safety issues for ingress and egress on 35th Avenue.
- The applicant has not provided adequate open space.
- The applicant has not provided adequate landscaping buffers.
- The applicant has failed to recognize or plan for drainage issues and how storm water will be captured on site.
- A PUD in general does not provide specific details or requirements of what will be built. This blank check or "framework of development standards" is inferior to a conventional zoning case and is not in the best interest of the neighborhood or broader Laveen Village. This special area of Laveen deserves a far superior and compatible plan than anything this applicant has proposed over the course of a year.

Sofia Mastikhina

From: Irma Cazarez <irmacazarez@gmail.com>
Sent: Friday, December 11, 2020 6:49 PM
To: Sofia Mastikhina
Subject: Agenda Item 5, case Z-60-20-8

Good evening,

In reference to the above mentioned PUD application, I'd like to express my opposition to it. The proposed development is non-confirming with the surrounding area. The community in general is opposed to this and we simply hope that the applicant realizes that the community is not opposed to the right kind of development. Unfortunately, the development the applicant proposes is not something we can support.

--
Thank you,

Irma Cazarez

phone: (602)363-5381

Sofia Mastikhina

From: Kim Henshaw <Kim.Henshaw@exelaonline.com>
Sent: Friday, December 11, 2020 8:07 AM
To: Sofia Mastikhina
Subject: Request to speak at Dec 14 LVPC Meeting 12/14, Agenda Item 5, case z-60-20-8

I want to speak on behalf of my community about the development planned for the Quarry.
I have been a resident in this area for 10 years (11706 S.42nd Ave). We moved here from Ahwatukee.

Laveen has been a hidden gem for many years, but as you are aware it is now growing rapidly.
All of the cotton fields, corn fields, and other agricultural interests are being replaced with rapid build, compact single family residence developments.
What is important about the quarry area is the size and spread of the lots/houses and its protection from the surrounding foothill/mountain, thus retaining that rural feel in the surrounding area.
While the freeway and housing growth is important, it is also necessary that Laveen retain some sense of its unique community. Otherwise, there is nothing to distinguish us from the spread of Mesa and other suburban Phoenix areas.
This is an important pocket of Laveen, one of the few places where wildlife (already pushed away from freeway and housing developments) can reside on Carver Mountain & South Mountain.

Those who purchased property and have lived for some time need some protection from the City to honor the plans and guidelines previously in place for this area, which is to prevent the density the developer is currently seeking.

The area of 35th and Carver has also become more dangerous due to the increase in traffic. There are rollover several times a year on Carver hill next to the Quarry (35th ave) and also several times a year cars end up in the canal.
Although some improvements seem to be in the works for 35th ave, increasing the traffic with another dense development creates additional risks and more traffic on Carver Rd. which is not designed to support it.

I ask the City of Phoenix to consider that part of Phoenix's identity is having surrounding communities with their own 'feel' and attractions. Keeping Laveen 'Laveen' is also in the best interest of the City of Phoenix.
Our identity is drawing growth, people, amenities, to this area, but we cannot forsake what made this community unique.

Thank you for considering my comments and I look forward to sharing my perspective as a long term resident of this area.

Kim Henshaw
Director, Client Services
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Sofia Mastikhina

From: Steven Dougherty <steven@stevendougherty.com>
Sent: Friday, December 11, 2020 7:27 PM
To: Sofia Mastikhina
Cc: Steven Dougherty
Subject: Dec. 14 LVPC meeting Agenda Item 5, Case Z-60-20-8

Hello Sofia,

I believe I'm registered now

Submitting my comment:

Dec. 14 LVPC meeting Agenda Item 5, Case Z-60-20-8

OPPOSED

Feedback on the new PUD case Z-60-20-8 for use:

- The number of lots and the density is still too high
- The proposed 61 lots at 3+ du/a is still completely incompatible with the area.
- This plan is not a reduction in zoning (aka: down-zoning). It is simply a repackaging of the previous inferior site plan from case PHO-1-19-Z-165-06-7/8.
- The applicant continues to ignore the community and our proposal of 46 lots at R1-18 zoning, which is compatible with the area, and is an executable site plan with conforming stipulations.
- The applicant has not incorporated the stipulations from case PHO-1-19-Z-165-06-7/8 which they previously agreed to.
- The applicant has not incorporated the Laveen Residential Guidelines that have been sanctioned by Planning Staff and the LVPC.
- The proposed site plan does not work with the elevations and contours of the site.
- The applicant has not addressed how to treat the escarpment.
- The applicant has not addressed safety issues for ingress and egress on 35th Avenue.
- The applicant has not provided adequate open space.
- The applicant has not provided adequate landscaping buffers.
- The applicant has failed to recognize or plan for drainage issues and how storm water will be captured on site.
- A PUD in general does not provide specific details or requirements of what will be built. This blank check or "framework of development standards" is inferior to a conventional zoning case and is not in the best interest of the neighborhood or broader Laveen Village. This special area of Laveen deserves a far superior and compatible plan than anything this applicant has proposed over the course of a year.

Sincerely,
Steven Dougherty
Steven@StevenDougherty.com
480-430-6130 Cell

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Sofia Mastikhina

From: Bret Burchard <bretburchard3@yahoo.com>
Sent: Monday, December 14, 2020 1:45 PM
To: Sofia Mastikhina
Subject: Re: Dec. 14 LVPC Meeting - Agenda Item 5, Case Z-60-20-8

Sofia,

Unfortunately I have a family obligation this evening that won't allow me to be present for the meeting. I have written my statement below. Could you please have this read during my speaking time and submit it on record related to this case?

Thank you.

My wife and I have lived all over the Valley: from Peoria to Tempe, from Arcadia to central Phoenix. We found our home in Laveen because of its rural living with urban access; with spacious lots, an abundance of outdoor activity (hiking trails, horses, ranches), minimal light and noise pollution for star gazing, and picturesque views all within a reasonable commute to downtown work, this was the perfect place for us and to find people like us. Three things were especially attractive about making this a longterm placement for us: (1) the uniquely Arizona landscape, (2) the potential for growth, (3) the apparent commitment by the community to preserve its uniqueness as it grows.

I encourage the committee to not take this application at face value, but truly understand the details of the proposal and the process behind pursuing this PUD application. This is not a unique, creative proposal requiring a special zoning code. It's a rebranding of an incompatible proposal. The applicant makes many attempts to appear to be a good neighbor, but their actions do not align. Consider the negotiation process from the neighbor's point of view, or the references within the proposal to the Southwest Laveen Growth Study. The references cherry pick low-hanging fruit like building materials and perimeter walls to portray compliance, but ignore higher priority issues and the larger picture. I would like to call your attention to Page 13 of the study, which emphasizes the need for a buffer between existing lower-density lots and new subdivisions with the more standard 2-5 du/ac and the specific mention of this location. Quoting from the Growth Study: "The southern portion of the area, from the Carver Foothills to South Mountain Park, will be very low density housing in a Sonoran Desert environment." This is far from "very low density" and eliminates any opportunity for a "buffer" between densities.

As mentioned, my wife and I are excited about the growth coming to Laveen as well as the intention to protect its unique rural way of life, which is why we support the more-than-compromised proposal from the community that includes the 46 lots at R1-18 zoning. We are not against growth. We are not against development. We are excited about welcoming more like-minded individuals and families to the community. We are also supportive of an overall plan that protects the unique qualities of this area that attracted us here in the first place.

Thank you,

Bret Burchard

11244 S 35th Ave
Laveen, AZ 85339
On Thursday, December 10, 2020, 10:12:33 AM MST, Sofia Mastikhina <sofia.mastikhina@phoenix.gov> wrote:

Good morning Bret,

You have been registered to speak at the December 14 Laveen Village Planning Committee meeting. Please use the link on the agenda to access the meeting. Staff will unmute you when the Chair calls your name. Let me know if you have any questions.

Best regards,

Sofia Mastikhina, CNU-A

(she/her/hers) What is this? [mypronouns.org]

Planner II - Village Planner

City of Phoenix

Long Range Planning

Office: 602-256-5648

200 West Washington Street

Phoenix, AZ 85003

PLANNING & DEVELOPMENT
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From: Bret Burchard <bretburchard3@yahoo.com>
Sent: Wednesday, December 9, 2020 1:34 PM
To: Sofia Mastikhina <sofia.mastikhina@phoenix.gov>
Subject: Dec. 14 LVPC Meeting - Agenda Item 5, Case Z-60-20-8

Sofia,

I would like to register for the upcoming Dec. 14 LVPC meeting, specifically related to Agenda Item 5, Case Z-60-20-8.

Thank you,

Bret Burchard

11244 S 35th Ave

Laveen, AZ 85339

Sofia Mastikhina

From: D in AZ <darcy3535@gmail.com>
Sent: Monday, December 14, 2020 8:51 PM
To: Sofia Mastikhina
Subject: For the Record of Z-60-20-8

Follow Up Flag: Follow up
Flag Status: Flagged

In follow up to the LVPC meeting on 12/14/20, I'd like to give you my notes for the record of Z-60-20-8.

Our family lives within walking distance of this property. The history with this lot has put this community through a roller coaster.

As you know Laveen is growing by leaps and bounds. Fields and farms that defined Laveen are quickly disappearing and housing developments are everywhere. BUT this part of Laveen is different from the rest. I hope you are familiar with the south side of Carver Mtn. Most lots are 1 house per acre (or more). We moved here to get away from the influx of huge housing developments and consider it our escape from the city.

We are dealing with this applicant already with the city council. The applicant has used multiple continuances and delay tactics to discourage the neighbors from continually opposing this. The city council refuses to enforce a required zone reversion per Ordinance-5020 from 2007, but aside from the council ignoring this, the community HAS tried to propose compatible development for this lot to try and meet in the middle, but the applicant doesn't seem to want to abide with the community's wishes-community, meaning the people that have to live next door and drive by this development forever.

It is not compatible to bring the number of homes to this lot that the applicant has put forth. It will change the feel of our neighborhood drastically. BUT not only is this a development issue, it also is a safety issue. I wish I had the statistics of how many accidents happen around the bend, on the hill on 35th, how many cars have hit poles causing power outages, how many have gone through the William's fence or how many cars end up IN the canal along Carver. It's a lot more than you realize. High density zoning will only make this stretch more dangerous.

If any of you lived on this south side of the quarry, YOU would be fighting to oppose the type of density that this applicant is proposing FOR development AND safety reasons. I hope the Laveen Community Council will understand why we oppose this and agree with us rather than the applicant that wants to just profit from our unique area of Laveen.

Darcy Meyer

480-332-4120

Sofia Mastikhina

From: Cyd Manning <SweetBeat@q.com>
Sent: Wednesday, December 16, 2020 5:30 PM
To: Sofia Mastikhina
Subject: Feedback regarding LVPC Meeting Dec. 14, 2020 and Discussion on Case Z-60-20-8
Attachments: Community Site Plan (PHO-1-19) Z165-06-7 (8) Site Plan Dated 062420.pdf

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Sofia,
Please forward this email and attachments to all members of the Laveen Village Planning Committee (LVPC) and also include this in the subject case file. I'd appreciate confirmation both actions have been completed.

Thank you very much and all my best to you and your family for a wonderful holiday.

Best regards,
Cyd

Cyd Manning
sweetbeat@q.com
480-747-0769

LVPC Members,
Thank you for your attention to community concerns regarding PUD Case Z-60-20-8 at Monday's LVPC meeting. I also appreciate your questions during the meeting and the request from Vice Chair Glass to provide the community's proposal for the committee's review and consideration.

The community proposal is compatible land use with the adjacent and surrounding area. Our plan requires a zoning change on the 20 acre parcel from R1-8 to R1-18. Our site plan is executable and utilizes the topography of the site, preserves views and open space, and is specifically at the upper end of the R1-18 zoning range to allow the applicant to have the most lots possible in that R1-18 zoning district. Conforming stipulation modifications for inclusion with our plan are:

- Stipulation 1: THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED JUNE 24, 2020, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT, AND WITH SPECIFIC REGARD TO THE FOLLOWING:
    A. THE DEVELOPER SHALL PROVIDE A PRIMARY ROADWAY FROM 35TH AVENUE EXTENDED TO THE WESTERN PROPERTY BOUNDARY, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
    B. THE PRIMARY ROADWAY CONNECTING 35TH AVENUE TO THE WESTERN EDGE OF THE PROPERTY LINE SHALL PROVIDE A VEHICULAR CONNECTION TO, FOR AND INTEGRATED WITH BOTH THE 20-ACRE AND 40-ACRE PORTIONS OF THE PARCEL.
- Stipulation 2: CONCEPTUAL ELEVATIONS FOR THE 20-ACRE DEVELOPMENT SHALL BE REVIEWED AND APPROVED BY THE PLANNING HEARING OFFICER THROUGH THE PUBLIC HEARING PROCESS FOR STIPULATION MODIFICATION PRIOR TO PRELIMINARY SITE PLAN APPROVAL. THIS IS A LEGISLATIVE REVIEW FOR CONCEPTUAL

PURPOSES ONLY. SPECIFIC DEVELOPMENT STANDARDS AND REQUIREMENTS MAY BE DETERMINED BY THE PLANNING HEARING OFFICER AND THE PLANNING AND DEVELOPMENT DEPARTMENT.

- Stipulation 4: DEVELOPMENT OF THE 40-ACRE R1-18 PORTION OF THE SITE SHALL NOT EXCEED 22 LOTS.
- Stipulation 5: DEVELOPMENT OF THE 20-ACRE CURRENT R1-8 PORTION OF THE SITE SHALL NOT EXCEED A DENSITY OF 46 LOTS AND SHALL BE REZONED TO R1-18.
- Stipulation 6. THE 20-ACRE DEVELOPMENT SHALL PROVIDE A MINIMUM OF 26% OPEN SPACE, OF WHICH A MINIMUM OF 12%, SHALL BE USABLE OPEN SPACE, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
- Stipulation 15: THE DEVELOPER SHALL DEDICATE A MULTI-USE TRAIL EASEMENT AND CONSTRUCT A MULTI-USE TRAIL PER ADOPTED STANDARDS ALONG THE NORTH SIDE OF CARVER ROAD AND ALONG THE WEST SIDE OF 35TH AVENUE, AS APPROVED BY THE PARKS AND RECREATION DEPARTMENT.
- Stipulation 35: A MINIMUM OF THREE TERRACED BERMS WITH 2:1 FILL SLOPES SHALL BE INSTALLED ALONG THE FULL LENGTH OF THE QUARRY CUT SLOPE BASE. THE TERRACES SHALL BE A MIMIMUM HEIGHT OF 8 FEET TALL AND SHALL BE PLANTED WITH A STAGGERED COMBINATION OF 2-INCH AND 4-INCH CALIPER, DROUGHT RESISTANT, DECIDUOUS TREES AT 25 FEET ON CENTER OR IN EQUIVALENT GROUPINGS TO CENTER, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT.
- Stipulations 43 & 44: Require Staff to update these stipulations to include notification to all individuals on record who have written and/or attended public meetings regarding this case
- All other stipulations, including Stipulation 19, to remain unchanged
- A conforming site plan dated June 24, 2020 is attached

I believe a few LVPC members are new to this parcel, the issues and the multiple cases, so I've also taken the opportunity to provide an executive summary and history in addition to the community proposal. FYI, the entire City Council has received the below information, other than the updates I've provided regarding the new PUD case. Thank you in advance for your careful review and consideration of the materials. If you have follow-on questions, please let me know.

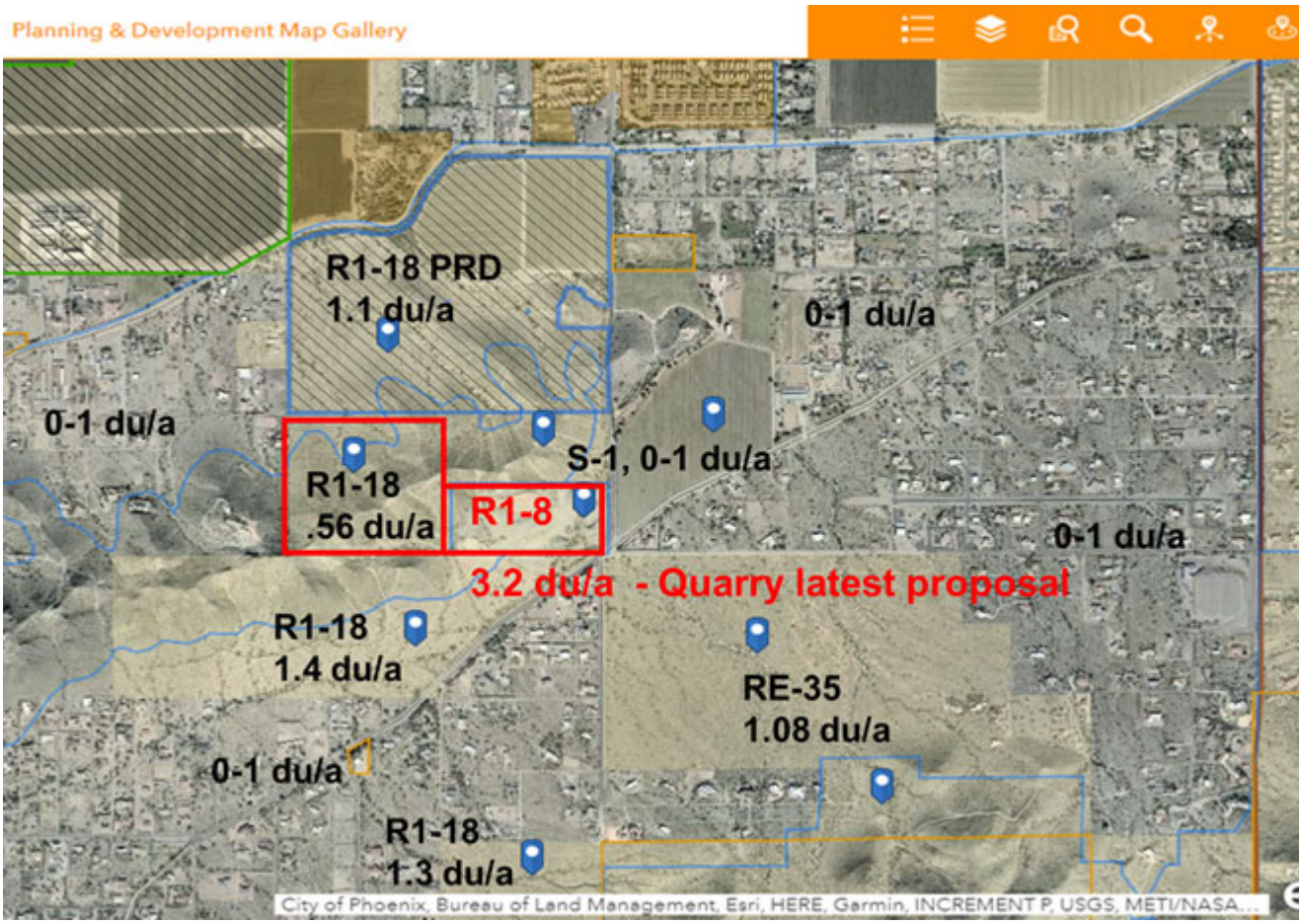
Thank you for serving the community as LVPC members and I wish you and your families a very safe and enjoyable holiday season.

Best regards,
Cyd Manning

Executive Summary:

The original case in 2006/2007 was very contentious due to the high-density development plan in an area that for 25+ years has been planned to be 0-1 homes per acre. This incompatible land use of speculative spot zoning was pushed through regardless of community involvement. The large outpouring of community opposition remains today with the current case/PHO application PHO-1-19-Z-165-06-7/8. The applicant/owner's revised proposal of 63 (recently 61) lots on the 20-acre portion with no zoning district change from R1-8 is still incompatible land use at 3 times the density of adjacent and nearby parcels zoned at R1-18 and RE-35. They also have an active Proposition 207 waiver on file that waives their right to sue the City of Phoenix.

As you heard with the PUD case on Monday, the issue has been and is about zoning and density.



The community has continued to propose a compatible land use alternative (described above) with a conforming site plan and applicable stipulation revisions, along with a zoning district change, that is supported by Councilmember Garcia. This option essentially "splits the baby" with the community moving up two zoning districts and the applicant/owner moving down two zoning districts. Our proposal is a true middle ground and "cuts to the chase" given the City's inability to codify the zoning reversion required in 2011, along with the realignment of the General Plan, to 0-1 du/a.

You can clearly see by the green arrows in the below graph that the community has compromised significantly more than the applicant.

	Community	Applicant
Zoning – 20 acres	↑ 50% (S-1 to R1-18)	→ 0% (R1-8)
# Lots – 20 acres Density	↑ 130% (20 to 46) 2.3 du/a	→ 36% (99 to 63) 3.2 du/a
Zoning, # Lots & Density – 40 acres	No Change	No Change

- **Note - The 20-acre and 40-acre parcels are zoned separately and cannot be calculated together**

The PHO case was continued twice (July 1st and August 26th) at the applicants request to review and respond to the community proposal. The applicant contacted us 6+ weeks after the July 1st continuance and had not performed a detailed review/analysis of our plan. After the August 26th continuance, the applicant reached out after 3 weeks to propose zero zoning change and a token reduction of 2 lots (63 to 61). The PHO case was set for the Council agenda on October 7 and ended up being continued for a third time. In the motion to continue, Councilmember Garcia stated his motion was *"to continue this item for 6 months to the April formal meeting to allow the property owner to file a zoning case to down-zone the property"*. The PHO case is scheduled to be heard at the April 7, 2021 City Council formal meeting.

Now the applicant has filed a second and separate case for a PUD, Z-60-20-8. This new PUD case **is not** a down-zoning (e.g. reduction in zoning). It is simply a repackaging of the PHO case.

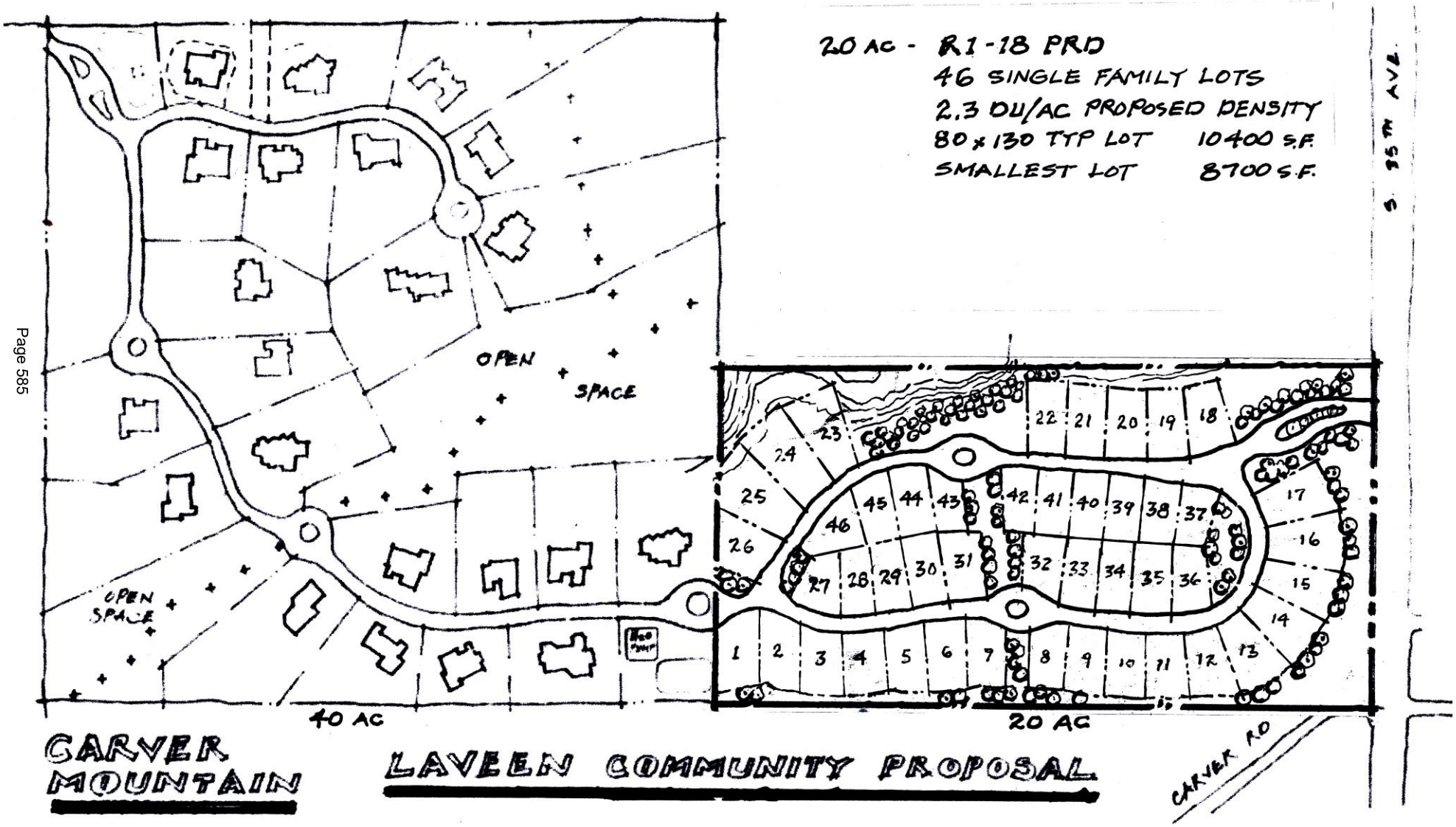
Case History Details:

- We are residents of all social and economic backgrounds who have worked hard for our homes and love our community. Even those neighbors with occupations who stand to benefit from more development (e.g. realtors, insurance agents, civil engineers, contractors, etc.) have been and are opposed to this high-density development because it does not fit the area. We are not against change, development, growth or affordable housing. We are for responsible development that is compatible with the area. We have supported high-density developments, including several cases in the last year+, because they fit the area being proposed.
- The video of our area is only 42 seconds long and can be played directly from this secure Dropbox link: https://www.dropbox.com/s/0tfmz2e6htiasqd/Laveen.mp4?dl=0 [dropbox.com]
- The original GPA and Zoning cases in 2006/2007 were very contentious and lasted almost 1 year (GPA-LV-2-06-7 and Z-165-06-7)
    - Owner/applicant proposed:
        - GPA 5-10 du/a from 0-1 Residential/Parks/Open Space
        - R1-18, 40 acres, 22 lots at .56 du/a
        - R2, 20 acres, 136 multi-family units at 6.8 du/a
    - Significant community opposition
        - 200+ community members petitioned in opposition; LVPC & LCRD unanimously opposed; GPA and Zoning cases appealed
        - District 7 candidates Pastor & Nowakowski opposed; Councilmembers Johnson and Simplot voted in opposition
    - Claims of blight, hazardous material, etc. were all proved to be false
    - To help protect the neighborhood from speculative spot zoning and incompatible high-density development, then Mayor Gordon insisted on including a time stipulation (Stipulation 19) for zoning reversion if development did not occur in 48 months.
    - Ultimately the 40-acre portion at R1-18 and 22 lots, the 20-acre portion at R1-8 with 99 detached villas, and Stipulation 19 for zoning reversion was approved and codified in Ordinance G-5020
- The City did follow process in July 2008 and codified a GPA alignment on this parcel
    - The Planning Director letter in the case file states *"The Laveen Village Planning Committee initiated GPA-LV-1-08-7 to create consistency between the Land Use Map and the approved R1-8 zoning and to avoid creating a precedent for higher densities on the surrounding parcels."*
- The current PHO case is equally contentious with the applicant/owner ignoring the community's input until encouraged by Councilmember Garcia
    - The applicant continues to ignore, or claims to be surprised, that zoning is and has been the issue for 13 years
    - Significant community opposition remains:
        - 140+ community members in opposition at LVPC; 40+ community members in opposition at PHO; 70+ community members in opposition at Planning Commission
        - LVPC & LCRD unanimously opposed; significantly over 250+ community letters submitted in opposition to date
        - PHO and Planning Commission recommendations were appealed

- Councilmember Garcia and other community leaders are opposed to the applicant's plan

- The City has refused to enforce Ordinance G-5020 Stipulation 19 which states ***"That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.".***
  - City Council approval was on October 10, 2007 and with the 48-month timing, **the zoning was set to revert to S-1 as of 2011.**
  - To date there has been no development on the property and no action taken by the City to revert the zoning as required, despite multiple requests to do so.
- **Technically the zoning classification for this property has been S-1 since late 2011, but has yet to be codified by the City per Ordinance G-5020**
- **Technically the General Plan is 0-1 du/a, NOT 3.5 to 5, and the City is also obligated to codify that designation**

PHO-1-19-Z-165-06-7(8)
Site Plan Dated June 24, 2020



Sofia Mastikhina

From: Vializ, Lisa <Lisa.Vializ@Honeywell.com>
Sent: Thursday, December 17, 2020 11:52 AM
To: Sofia Mastikhina
Subject: Feedback regarding LVPC Meeting Dec. 14, 2020 and Discussion on Case Z-60-20-8

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Sofia,

I am opposed to the PUD on this property, as the reversion is still an active and open issue.

We have been meeting with the Applicant's council and discussing this case for almost 12 months now. The Community has remained consistent.. the issue here is the zoning WHICH equals density and the DENSITY proposed is TOTALLY INCOMPATIBLE with this area. It is a mere shortcut to accomplish a plan that is ACTUALLY worse than WHAT we have been opposing….a 'blank check' for the Applicant to do whatever they want.

TO SUMMARIZE:

- It does NOT incorporate all of the stipulations from the PHO- that they previously agreed to.
- It does NOT incorporate all of the Laveen Residential Guidelines that have been sanctioned by Planning Staff and the LVPC.
- As a reminder, The LVPC unanimously opposed this case.
- The surrounding density's referenced in Mr. Gilbert's presentation are inaccurate. We have: S-1, R-43, and R-18 in the surrounding area. As we all know the density REDUCES as we move south toward South Mountain. We are asking for comparable lot sizes to the surrounding area and not what is 2 miles NORTH to Dobbins.
- 60x120 lots may sound good, but NOT in an area with ½ to 1 acre lots. Density and zoning is the issue.
- The density reduction number referenced in Mr. Gilbert's presentation is NOT correct since he combined the 40 and 20 acre parcels to bolster his density reduction number (fake math) and this case is ONLY addressing the 20A parcel.
- The Applicant is flipping the property. This entire time they stated they were building on the property and finally just admitted they are going to flip it.
- Councilman Garcia has **reiterated time and time again he would NOT support a density or zoning at this level (R1-8 nor R1-10).** He asked us to compromise and we did; **we agreed to R1-18 at 46 lots AND COUNCILMAN SUPPORTS THIS ZONING LEVEL AND LOT COUNT.**
- Again this sets a very bad precedent for this area and all of the property around South Mountain currently zoned S-1. We need to maintain the low density in this area. There are plenty of properties/land near the freeway and areas North of Baseline where higher density housing is appropriate but it is not appropriate in and around the foothills.
- We should allow the original case to continue on thru City council instead of ramrodding thru a PUD which is NOT in the best interest of the community.

Please vote to deny this PUD. The neighbors have been speaking loud and clear for a year (all the way back to 2007 actually). High density has its place but not in this area at any price point.

Thank you,
Lisa Vializ
8921 S 53rd Dr.
Laveen, AZ 85339

Sofia Mastikhina

From: John Knight <john.knight@aircomm.com>
Sent: Monday, December 28, 2020 10:08 AM
To: Sofia Mastikhina
Subject: Re: Laveen Planning Meeting Dec 11

Follow Up Flag: Follow up
Flag Status: Flagged

Solia, thank you so much for the update. I am truly sorry to have missed. Looking forward to the next steps. As we invested in this area over 18 years ago, we have seen the same type of custom quality building continue as others look for a place of open space. That was what the City and County told us. We would love to have you out to our area and our home so you gt the feel of how the new Developer's requests are Polar Opposites to what is here today. It is truly hard to understand unless you come through here with a resident. Please think about this. I know that you must remain neutral, but it will help you understand our passion to continue this. The builders hope we get tired of all these meetings. and hope to give up. When you come South over the Carver Mountains, you see an area close to Paradise Valley or even Tucson. Most people don't know this area is here. Please let me know if that would help Happy New Year

On Thu, Dec 24, 2020 at 8:51 AM Sofia Mastikhina <sofia.mastikhina@phoenix.gov> wrote:

> Good morning John,
>
> The meeting went well – a good number of community members attended and expressed their opposition to the case. It has not yet been scheduled to come back to the VPC for a vote, as the applicant is still working with us on revisions to their development narrative. Please let me know if you have any questions.
>
> I hope your health is better, and have a wonderful holiday!
>
> Best regards,

Sofia Mastikhina, CNU-A

(she/her/hers) What is this? [mypronouns.org]

Planner II - Village Planner

City of Phoenix

Long Range Planning

Office: 602-256-5648

200 West Washington Street

Phoenix, AZ 85003

From: John Knight <john.knight@aircomm.com>
Sent: Tuesday, December 15, 2020 7:47 AM
To: SweetBeat@q.com; Sofia Mastikhina <sofia.mastikhina@phoenix.gov>; Elizabeth Banta <ebanta3938@gmail.com>
Subject: Re: Laveen Planning Meeting Dec 11

Sofia, I apologize for missing last night. I had some health issues. How did it go? I will try and attend Thursday" Thank you all very much.

[cloud.letsignit.com]

John Knight
VP Integrated Solutions
P: (602) 237-4915
C: (602) 549-1885
E: john.knight@aircomm.com
W: www.aircomm.com [cloud.letsignit.com]

[cloud.letsignit.com]

[cloud.letsignit.com]

On Mon, Dec 14, 2020 at 9:57 AM Sofia Mastikhina <sofia.mastikhina@phoenix.gov> wrote:

Good morning John,

You have been registered to speak at the December 14 Laveen Village Planning Committee meeting. Please use the link on the agenda to access the meeting. Staff will unmute you when the Chair calls your name. Let me know if you have any questions.

Best regards,

Sofia Mastikhina, CNU-A

(she/her/hers) What is this? [mypronouns.org]

Planner II - Village Planner

City of Phoenix

Long Range Planning

Office: 602-256-5648

200 West Washington Street

Phoenix, AZ 85003

From: John Knight <john.knight@aircomm.com>
Sent: Saturday, December 12, 2020 5:28 PM
To: Sofia Mastikhina <sofia.mastikhina@phoenix.gov>; John Hampton Knight <john.knight@synergydatascience.com>; Dr. Dean G. Gordy Fairchild, Ph.D. <founder@synergydatascience.com>; SweetBeat@q.com
Subject: Laveen Planning Meeting Dec 11

Sofia, I hope this finds you well. I am requesting to speak at the meeting.

1. Average Lot Size South of Carver Hills 51st Avenue to 19th Avenue

2. Average Size of house in the same area?

3. Average Size of Open Area for each parcel?

4. Average Price of home in this area?

5. Number of Acre+ Lots compared to less than Acre lots?

6. Do you have pictures of this area during Monsoon, Hurricane or large rain seasons?

7. What is the breakdown of Architectural design of homes today is this area?

8. Compare the above to the proposal before us please.

9. How does your product compare to the area surrounding your proposed development versus what we have seen on 51st Avenue.

10. What is the average devaluation of this area when you build small homes compared to larger, custom acre homes?

11. Why have you not looked at the area and provided a product commensurate with the surroundings?

12. What makes your proposed design unique and desirable? .

13. How do we protect the integrity of the existing homeowners who bought in to the Laveen plan of the 1990's and invested in this area? Why should you be granted an exception?

Those are things that we all want to know. We will try and pull the statistics by Monday. ty

--

[cloud.letsignit.com]

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Sofia Mastikhina

From: chris johns <christopher.1.johns@outlook.com>
Sent: Monday, January 4, 2021 8:47 PM
To: Sofia Mastikhina
Subject: Fw: PUD case Z-60-20-8.

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Sofia,
I am writing to express my concern about PUD case Z-60-20-8. The proposed 61 lots with more than 3 dwelling units per acre is completely incompatible with the area. The number of lots and density is far too high and does not fit with the surrounding area between the Carver foothills and south mountain park. The applicant continues to ignore the community and our proposal of 46 lots at R1-18 zoning, which is compatible with the area, and is an executable site plan with conforming stipulations.
In addition, the neighborhood community members have voiced the following concerns with this case:

Feedback on the new PUD case Z-60-20-8 for use:

- This plan is not a reduction in zoning (aka: down-zoning). It is simply a repackaging of the previous inferior site plan from case PHO-1-19-Z-165-06-7/8.
- The applicant has not incorporated the stipulations from case PHO-1-19-Z-165-06-7/8 which they previously agreed to.
- The applicant has not incorporated the Laveen Residential Guidelines that have been sanctioned by Planning Staff and the LVPC.
- The proposed site plan does not work with the elevations and contours of the site.
- The applicant has not addressed how to treat the escarpment.
- The applicant has not addressed safety issues for ingress and egress on 35th Avenue.
- The applicant has not provided adequate open space.
- The applicant has not provided adequate landscaping buffers.
- The applicant has failed to recognize or plan for drainage issues and how storm water will be captured on site.
- A PUD in general does not provide specific details or requirements of what will be built. This blank check or “framework of development standards” is inferior to a conventional zoning case and is not in the best interest of the neighborhood or broader Laveen Village. This special area of Laveen deserves a far superior and compatible plan than anything this applicant has proposed over the course of a year.20-8

Chris Johns

Sofia Mastikhina

From: Sarah VanSchyndel <sarah.vanschyndel@gmail.com>
Sent: Monday, January 4, 2021 11:42 AM
To: Sofia Mastikhina
Subject: PUD case Z-60-20-8.

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Sofia,
I am writing to express my concern about PUD case Z-60-20-8. The proposed 61 lots with more than 3 dwelling units per acre is completely incompatible with the area. The number of lots and density is far too high and does not fit with the surrounding area between the Carver foothills and south mountain park. The applicant continues to ignore the community and our proposal of 46 lots at R1-18 zoning, which is compatible with the area, and is an executable site plan with conforming stipulations.
In addition, the neighborhood community members have voiced the following concerns with this case:

Feedback on the new PUD case Z-60-20-8 for use:

- This plan is not a reduction in zoning (aka: down-zoning). It is simply a repackaging of the previous inferior site plan from case PHO-1-19-Z-165-06-7/8.
- The applicant has not incorporated the stipulations from case PHO-1-19-Z-165-06-7/8 which they previously agreed to.
- The applicant has not incorporated the Laveen Residential Guidelines that have been sanctioned by Planning Staff and the LVPC.
- The proposed site plan does not work with the elevations and contours of the site.
- The applicant has not addressed how to treat the escarpment.
- The applicant has not addressed safety issues for ingress and egress on 35th Avenue.
- The applicant has not provided adequate open space.
- The applicant has not provided adequate landscaping buffers.
- The applicant has failed to recognize or plan for drainage issues and how storm water will be captured on site.
- A PUD in general does not provide specific details or requirements of what will be built. This blank check or “framework of development standards” is inferior to a conventional zoning case and is not in the best interest of the neighborhood or broader Laveen Village. This special area of Laveen deserves a far superior and compatible plan than anything this applicant has proposed over the course of a year.20-8

Sofia Mastikhina

From: Donna Schober <donna.schober@gmail.com>
Sent: Tuesday, January 5, 2021 5:56 PM
To: Sofia Mastikhina
Subject: PUD case Z-60-20-8

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms. Mastikhina. My husband and I have lived in Laveen for 22+ years. We live near the proposed development (PUD case Z-60-20-8) that is the subject of various meetings. We are in strong opposition to PUD case Z-60-20-8. We will list only a few of the reasons we oppose this case.

Chief among our reasons is the high number of lots for this area and the density is much too high for this area. The number of lots is completely incompatible with this area. The applicant has ignored our community and our own proposal of fewer lots and less density which is more compatible with the area and could be implemented rather quickly with some conforming stipulations.

The applicant has not worked with the site, has not addressed traffic safety issues, has not provided adequate open space, adequate landscaping buffers, failed to plan for drainage issues and storm water. These are items of importance to our neighborhood. We do not feel it is appropriate to give this developer a blank check through approval of this case.

As you may already know this is the second and a separate case filed by the developer for this same area. The neighborhood opposes both cases (PHO-1-19-Z-165-06-7/8 is the other case) and has been fighting for a responsible development in the area for more than 10 years.

Please visit our neighborhood. You will see this is a special area of Laveen and it deserves a far superior plan than anything this particular applicant has proposed.

Sincerely,

Donna J. Schober
Marvin A. Sondag
10840 S 30th Ave
Laveen, AZ 85339

602-237-4887

Sofia Mastikhina

From: EMAIL TEAM <garyinlaveen@yahoo.com>
Sent: Tuesday, January 5, 2021 12:56 PM
To: Sofia Mastikhina
Subject: zoning meetings

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Sofie,
I am against the proposals: PUD Z-60-20-8 and PHO-1-19-Z-165-06-7/8.
Sincerely
Gary Jordan
3603 W. Shawnee Dr.
Laveen, Az 85339
602-237-4727

Sofia Mastikhina

From: Laura Murphy <lmurphy@acswinc.com>
Sent: Wednesday, January 6, 2021 5:54 PM
To: Sofia Mastikhina
Subject: PUD CASE Z-60-20-8 Laveen Carver Mountain

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon Sofia,

I am writing in to oppose the PUD case for the Quarry/Carver Mountain case. This also includes an opposition to case PHO-1-19-Z-165-7/8.

The Hidden Valley residents living in Laveen chose to come here for a reason. To get out of the City. We did not want HOA's. We wanted space and to see the Milky Way! We have NO streetlights and we like it that way. We have less traffic, although with the new Loop 202 in our backyard, the traffic has doubled on our residential streets and it is now hard to see the Milky Way due to the freeway lights. Plus people our using our residential streets as a cut through to get to 35th Ave and Baseline faster or dodging the law by coming from the Casino drunk. We now even have semi's using our residential streets as a cut through. The drunk drivers just end up in the irrigation ditch. This happens quite a lot. Or they hit a power pole and wipe us out of power for hours on end. We do not need to increase the traffic with high density housing.

We do not have any housing projects in our neighborhood. We do not need to start now. The is a mountain side property. This is not welcome. In fact, it would deface the beauty. This is a special and tranquil place to live and raise a family. Allowing a high density housing project will bring crime. The beauty will be erased.

We have lost most of our cotton farms along 51st Ave due to high density housing. This was hard enough to bear a couple of years ago. It is so sad that we are losing farmers in our metro area. If they can relocate due to costs they are struggling on where to move to without the costs going out of this world. Some, have decided not to farm anymore. This is not good for our economy.

We want to preserve our mountains, not destroy them. I am not opposed to custom homes. But, it should remain R-18 with one house per acre. And no more!

The following is the feedback on the new PUD case Z-60-20-8.

1. The number of lots and the density is still too high
2. The proposed 61 lots at 3+ du/a is still completely incompatible with the area.
3. This plan is not a reduction in zoning (aka: down-zoning). It is simply a repackaging of the previous inferior site plan from case PHO-1-19-Z-165-06-7/8.
4. The applicant continues to ignore the community and our proposal of 46 lots at R1-18 zoning, which is compatible with the area, and is an executable site plan with conforming stipulations.
5. The applicant has not incorporated the stipulations from case PHO-1-19-Z-165-06-7/8 which they previously agreed to.
6. The applicant has not incorporated the Laveen Residential Guidelines that have been sanctioned by Planning Staff and the LVPC.

7. The proposed site plan does not work with the elevations and contours of the site.
8. The applicant has not addressed how to treat the escarpment.
9. The applicant has not addressed safety issues for ingress and egress on 35th Avenue.
10. The applicant has not provided adequate open space.
11. The applicant has not provided adequate landscaping buffers.
12. The applicant has failed to recognize or plan for drainage issues and how storm water will be captured on site.
13. A PUD in general does not provide specific details or requirements of what will be built. This blank check or "framework of development standards" is inferior to a conventional zoning case and is not in the best interest of the neighborhood or broader Laveen Village. This special area of Laveen deserves a far superior and compatible plan than anything this applicant has proposed over the course of a year.

We do not want high density in our neighborhood. We do not want additional traffic that is associated with a dense housing project. We do not want HOA's. We do not want perimeter fencing.

We want our voices heard and recognized. We want peace and quiet.

Please support the Hidden Valley residents.

Thank you for this opportunity to express my concerns and I do hope you will take this into consideration when the time comes to vote.

Sincerely,

Laura A Murphy
4824 W. Estrella Dr.
Laveen, AZ 85339
602-318-3442

Laura "Murph" Murphy | Controller
2430 W. Mission Ln., Ste. 1, Phoenix, AZ 85021
lmurphy@acswinc.com P: 480.664.3185 ext 11 C: 602.318.3442

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Sofia Mastikhina

From: Benjamin Meyer <ben.meyer3456@gmail.com>
Sent: Wednesday, January 6, 2021 8:36 PM
To: Sofia Mastikhina
Subject: PUD Z-60-20-8 Opposition

Follow Up Flag: Follow up
Flag Status: Flagged

1/6/21

Re: For the Record of PUD (Z-60-20-8)

Dear Sirs,

It is not compatible to bring the number of homes to this lot that the applicant has put forth. It will change the feel of our neighborhood drastically and will decrease our property values. It is not right for our area and we feel very strongly about this.

This is also a safety issue. The number of cars that will increase because of your high density zoning will only make this stretch more dangerous.

If you lived on this south side of the quarry, YOU would be fighting to oppose 61 homes that this applicant is proposing for development AND safety reasons. We oppose this and our neighbors oppose this.

Benjamin Meyer

35th & Carver

Laveen

Sofia Mastikhina

From: D in AZ <darcy3535@gmail.com>
Sent: Wednesday, January 6, 2021 7:28 PM
To: Sofia Mastikhina
Subject: Quarry/Carver Mtn case PUD Z-60-20-8 for the record

Follow Up Flag: Follow up
Flag Status: Flagged

I'd like to submit my feedback in in opposition of Z-60-20-8 for the record. Thank you.

To Jeremy and Mr. Gilbert,

As a neighbor of this property, I'd like to express my opposition to the high-density development of Carver Mountain. This isn't a typical neighborhood to squeeze in a bunch of homes and put some covering on the rock to make it feel natural. We get the natural look by looking out our window that doesn't have a house right next to you. This south side of Carver isn't the typical area either. We moved here to be away from the city, where you see horses go up and down the street, kids can play outside, it's quiet and dark and the neighbors can keep to themselves when they want to. Please don't make this another subdivision that we are forced to pass by like all the others that have destroyed the look and feel of Laveen. I can guarantee that you will find buyers for homes at an increased cost to have a bit of land on them. People are paying big money for property because it's hard to find nowadays

I also oppose this because it will bring in extra cars that belong to 61 houses that need to come into your lot. The curve around Carver is way too dangerous. It is dangerous now, and no one even lives on this property. It cannot sustain an increase of cars going in and out and around.

I urge that you side with the neighbors that actually live here and if you can find someone that actually wants this and lives on this side of the mountain, please have them call me.

Darcy Meyer

35th & Carver

Sofia Mastikhina

From: Jane Craig <eddibtyboop@hotmail.com>
Sent: Saturday, January 9, 2021 11:31 AM
To: Sofia Mastikhina
Subject: OPPOSE - New PUD case Z-60-20-8

Ms. Sofia Mastikhina,

I respectfully "OPPOSE" the PUD Case Z-60-20-8, due to the following reasons listed below.
Please deny this request.

- The number of lots and the density is still too high
- The proposed 61 lots at 3+ du/a is still completely incompatible with the area.
- This plan is not a reduction in zoning (aka: down-zoning). It is simply a repackaging of the previous inferior site plan from case PHO-1-19-Z-165-06-7/8.
- The applicant continues to ignore the community and our proposal of 46 lots at R1-18 zoning, which is compatible with the area, and is an executable site plan with conforming stipulations.
- The applicant has not incorporated the stipulations from case PHO-1-19-Z-165-06-7/8 which they previously agreed to.
- The applicant has not incorporated the Laveen Residential Guidelines that have been sanctioned by Planning Staff and the LVPC.
- The proposed site plan does not work with the elevations and contours of the site.
- The applicant has not addressed how to treat the escarpment.
- The applicant has not addressed safety issues for ingress and egress on 35th Avenue.
- The applicant has not provided adequate open space.
- The applicant has not provided adequate landscaping buffers.
- The applicant has failed to recognize or plan for drainage issues and how storm water will be captured on site.
- A PUD in general does not provide specific details or requirements of what will be built. This blank check or "framework of development standards" is inferior to a conventional zoning case and is not in the best interest of the neighborhood or broader Laveen Village. This special area of Laveen deserves a far superior and compatible plan than anything this applicant has proposed over the course of a year.

Respectfully,

Jane Craig
2905 W Ceton Drive
Laveen, AZ 85339-1744

Sent from Mail [go.microsoft.com] for Windows 10

Sofia Mastikhina

From: Bret Burchard <bretburchard3@yahoo.com>
Sent: Tuesday, April 6, 2021 4:29 PM
To: Sofia Mastikhina
Subject: Quarry Case - Agenda Item #5 - PUD Z-60-20-8

Follow Up Flag: Follow up
Flag Status: Flagged

Laveen Village Planning Committee Members,

I ask that you please vote to deny the PUD application Z-60-20-8 that will come before you on Monday, April 12, and move to support the community proposal of 46 lots and a conventional R1-18 zoning district for the Carver Mountain development.

This PUD case is a repackaging of the PHO case 1-19-Z-165-06-7(8) that you unanimously denied previously. It is an attempt by the applicant to put lipstick on a pig and present it as a compromise. But it still stinks and doesn't meet the primary concerns of the community.

The priority for the community is and always has been zoning and density. The applicant likes to highlight that a PUD is more restrictive than a traditional zoning application and so should be more attractive for the community, but the stipulations are primarily cosmetic in nature. The density of the PUD is still incompatible with the surrounding area and the inferred zoning of their 61-lot plan sets an irreversible precedent for future development.

The applicant also likes to cite the Laveen Southwest Growth Study to show they have listened to the neighbors' concerns. Again, they cherry picked low hanging fruit that is mostly cosmetic. They fail to address the part that states, "...*the 0-1 designation was placed on properties adjacent to the Carver Foothills and South Mountain Park. The latter parcels are appropriate for low density development due to the topography of slopes and washes and the desert vegetation. The majority of the 0-2 property is to serve as a buffer between existing lower density lots and new subdivisions with the more standard 2-5 du/a."*

Laveen is growing rapidly. That growth is one of the reasons my wife and I moved to this area just over 2 years ago. We are not opposed to growth and development. We are, however, in favor of responsible development that also preserves the unique rural lifestyle of this area that hardly exists anywhere else in the Valley. We moved here looking for a lifestyle you can't find anywhere else. Please, don't allow this beautiful corner of the Valley to turn into just another Gilbert, Chandler, or cookie cutter American suburb.

Thank you for your continued support and representation of the community in this case.

Sincerely,

Bret Burchard
11244 S 35th Ave
Laveen, AZ 85339

Sofia Mastikhina

From: Donis Canisales <cyrannn@hotmail.com>
Sent: Tuesday, April 6, 2021 6:36 AM
To: Sofia Mastikhina
Subject: Letter of opposition

Follow Up Flag: Follow up
Flag Status: Flagged

Laveen Village Planning Committee Members,

PUD Z-60-20-8 is a **second and separate case** at the NWC of 35th Avenue and Carver Road, known as the Quarry/Carver Mountain. You, this Village, were supportive of the community and early last year were rightly unanimous in your denial of the PHO version of this case, PHO-1-19-Z-165-06-7(8). Do not let your unanimity or support of the community wane. Unanimously reject this case and instead recommend approval of the community proposal for 46 lots and a conventional R1-18 zoning district.

The applicant likes to use the Laveen Southwest Growth Study in their narrative but fails to include the part stating" *the 0-1 designation was placed on properties adjacent to the Carver Foothills and South Mountain Park. The latter parcels are appropriate for low density development due to the topography of slopes and washes and the desert vegetation. The majority of the 0-2 property is to serve as a buffer between existing lower density lots and new subdivisions with the more standard 2-5 du/a."*

ALL the adjacent and nearby parcels, including the applicant's 40-acre site and the community R1-18 proposal are 0-2 du/a. Density and zoning are the issues here. Laveen lacks diversity of large lots and this is the area for them! The area south of Carver Foothills is special and deserves so much better. A few of the many reasons to deny this PUD as filed are:

- The number of lots and the density is still too high
- The proposed 61 lots at 3+ du/a is still completely incompatible with the area.
- This plan is not a reduction in zoning (aka: down-zoning). It is simply a repackaging of the previous inferior site plan from case PHO-1-19-Z-165-06-7/8.
- The applicant continues to ignore the community and our proposal of 46 lots at R1-18 zoning, which is compatible with the area, and is an executable site plan with conforming stipulations.
- The proposed conventional flat-land site plan does not work with the elevations and contours of the site.
- The applicant has not provided adequate open space or landscaping buffers.
- The PUD may look good on paper, but too many things are open-ended in the application/narrative that states the applicant MAY vs. SHALL or WILL. The stipulations in the PHO case are more stringent than the PUD.
- A PUD in general does not provide specific details or requirements of what will be built. This blank check or "framework of development standards" is inferior to a conventional zoning case and is not in the best interest of the neighborhood or broader Laveen Village. This special area of Laveen deserves a far superior and compatible plan than anything this applicant has proposed over the course of a year.

This PUD case is no significant improvement over the PHO case. The applicant is running both cases in parallel to mask the structural and real issues of density and zoning and to "see what sticks". Please support the community! Again, deny this case as filed and instead recommend approval of the community proposal for 46 lots and a conventional R1-18 zoning district.

Best regards,

Frank and Donis Canisales, Jr
11020 S 35th Ave Laveen Az 85339

Frank and Esperanza Canisales
11631 S 51st Ave Laveen Az 85339

Francisco, iii and Becca Canisales
9411 S 33rd Ave Laveen Az 86339

Antonio Canisales
2305 w tuckey lane, Phoenix Az 85015

Sent from my iPhone

Sofia Mastikhina

From: Steven Dougherty <steven@stevendougherty.com>
Sent: Tuesday, April 6, 2021 9:42 AM
To: Sofia Mastikhina
Cc: Steven Dougherty
Subject: Laveen Village Planning Committee Members,

Follow Up Flag: Follow up
Flag Status: Flagged

Laveen Village Planning Committee Members,
PUD Z-60-20-8 is a **second and separate case** at the NWC of 35th Avenue and Carver Road, known as the Quarry/Carver Mountain. You, this Village, were supportive of the community and early last year were rightly unanimous in your denial of the PHO version of this case, PHO-1-19-Z-165-06-7(8). Do not let your unanimity or support of the community wane. Unanimously reject this case and instead recommend approval of the community proposal for 46 lots and a conventional R1-18 zoning district.

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Sincerely,
Steven Dougherty
11222 S 39th LN
Laveen AZ 85339
Steven@StevenDougherty.com
480-430-6130 Cell

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Laveen
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-60-20-8
INFORMATION ONLY

Date of VPC Meeting	December 14, 2020
Request From	R1-8 (Single-Family Residence District) (19.35 acres)
Request To	PUD (Planned Unit Development) (19.35 acres)
Proposed Use	Planned Unit Development to allow single-family residential
Location	Northwest corner of 35th Avenue and Carver Road

VPC DISCUSSION:

Mr. Paul Gilbert, representative with Beus Gilbert McGroder, introduced the property owner, Jeremy Hall, and explained that the company has held this property for four years, and that it had existing entitlements for 99 residential units. The current proposal of 61 units is a significant compromise from the original approval. The site in questions is a former sanding gravel quarry and approved for 19 acres of R1-8 zoning and 40 acres of R1-18 zoning. He explained that the proposed PUD will only affect the R1-8 portion of the property. Prior to applying for the PUD zoning, the property owner had applied for modification of stipulations through the Planning Hearing Officer (PHO) hearing process, which included the reduction of residential units from 99 units to 63 units in response to community concerns, then a further reduction to 61 units offered by the applicant. The PHO approved the request with several modifications and additional stipulations, and the Planning Commission upheld the PHO recommendation. In October, the City Council continued the request so that the applicant could submit a request for a PUD, which is why they are here tonight. **Mr. Gilbert** then presented an aerial view and zoning map of the property, outlining the surrounding zoning designations, and claimed that there is much denser zoning in the vicinity than what is being proposed here. He then provided a comparison between the 1998 Laveen Southwest Growth Study Land Use Map and the current General Plan Land Use Map, highlighting how much the land use designations have changed over time, especially the increased density for the subject property, which is now Residential 3.5 to 5 dwelling units per acre. The proposed density of this PUD is substantially under what is allowed by this designation. He then outlined the main elements of the proposed PUD, including permitted uses, accessory uses, design standards, open space, setbacks, and the proposal to revegetate the former quarry area so that it blends into the natural desert environment. He then addressed concerns regarding the safety of the intersection of 35th Avenue and Carver Road, stating that the applicant will be working with the Street

Transportation Department to develop a design that will improve the safety conditions there.

Mr. Carlos Ortega asked what the dimensions of the proposed lots will be. **Mr. Gilbert** replied that they will primarily be 60 feet by 120 feet, with the flexibility for narrower lots where needed due to the configuration. **Mr. Ortega** praised the proposed lot size, as many recent developments have provided much narrower lots. He then asked what the average square footage for these homes will be, and what the expected price point will be. **Mr. Jeremy Hall** replied that it will depend on how many one-story and two-story homes will be on the site, but that they can provide a better answer at the next hearing. The approximate price range will be from the high three-hundred-thousands to the low four-hundred-thousands.

Ms. Cinthia Estela thanked the applicant for working with the community to compromise on the proposed density and expressed her excitement for this project.

Ms. Jennifer Rouse asked if there is already a builder for this property. **Mr. Gilbert** replied that there is not. He explained that Virtua is the property owner and that they will be selling the property to a builder once the entitlements are in place. **Ms. Rouse** then expressed her concern with the safety of the intersection, as there have been many accidents there and the addition of more housing will certainly lead to more safety issues.

Ms. Sharifa Rowe asked if there will be any limitations on the number of two-story homes allowed on the property, as this is a very scenic area and too many two-story homes could block the views. **Mr. Gilbert** explained that the only restriction on two-story homes is along 35th Avenue. All the other lots are up to the ultimate homebuyer.

Ms. Stephanie Hurd asked what the average square footage of a one-story home and a two-story home will be. **Mr. Hall** replied that he would guess that the homes would range from 800 square feet to 2600 square feet.

Ms. Linda Abegg asked that the applicant stipulate to a minimum 60 feet by 120 feet lots, or a minimum square footage, so that the builder cannot divide the property into 45-foot-wide lots, which is what is permitted in the R1-8 zoning district. She also asked if attached single-family homes will be prohibited in their permitted uses list. **Mr. Gilbert** replied that yes, all homes permitted in the project must be detached. **Ms. Abegg** then emphasized that the stipulations that were crafted for the PHO case should be incorporated into this development narrative.

Vice Chair Tonya Glass asked if the committee will only be reviewing and commenting on this case or if there will be a vote at some point. **Ms. Sofia Mastikhina** explained that this is a request to rezone to a PUD, which follows a similar process as any other standard rezoning case, with an additional hearing before the Village Planning Committee for information only. The applicant will be required to return to the VPC for a recommendation and a vote before they can move on to Planning Commission. **Vice Chair Glass** stated that, in a meeting with the applicant, they had discussed providing a centralized open space that connects to the mountain, which would also remove a couple of the houses from the proposal. She asked if any further thought had been given to that discussion. **Mr. Gilbert** replied that the applicant had already done enough by removing 38 houses and providing 26 percent open space on the site.

PUBLIC COMMENT

Ms. Cyd Manning stated that this proposal is a simple repackaging of the underwhelming proposal that had come previously come through the Planning Hearing Officer process. She stressed that the applicant is planning to entitle the property and immediately sell it off, and that they are not interested in investing in the community. She then pointed out that the zoning classification of R1-8 and the General Plan Land Use Map designation of Residential 3.5 to 5 dwelling units per acre should have been reverted back to S-1 zoning and Residential 0 to 1 dwelling units per acre, respectively, as was stipulated in the original approval letter. The proposed density for this project is completely incompatible with the surrounding area, and the zoning map that the applicant presented even showed that the nearest equivalent zoning was some way to the north, closer to Laveen's center. She explained that, at the City Council hearing, Councilmember Garcia had requested that the applicant file for a rezoning to downzone the property to be more compatible with the community – which this proposal is not. Further, the community has negotiated at length with the applicant, coming up with an executable site plan with R1-18 zoning, which is more compatible with the area. The applicant has not been willing to meet them halfway, and this PUD proposal is inferior to a conventional zoning case. Further, the stipulations from the PHO case have not been incorporated into the development narrative, nor have the Laveen residential design guidelines or any guidelines that take into account the topographical features of the site. She urged that this proposal be denied.

Mr. Dan Penton asked for clarification on the proposed lot sizes, as the applicant stated they would be 60 feet by 120 feet, yet the development narrative lists them as 55 feet by 110 feet. He then pointed out that the maximum building height was agreed to be two stories and 20 feet, yet the narrative lists 30 feet. It had also been agreed that the development would have 12 of the 26 percent of open space be usable. He then asked if the developer will be conducting a traffic impact study, as this is an area that will be highly affected by even a slight increase in residents.

Mr. Phil Hertel expressed his confusion with this presentation, as it was his understanding that the zoning reversion was still pending. He stated that this matter should be resolved before moving forward with any new entitlements on the property. He also stated that the open space should be more evenly distributed throughout the property.

Ms. Darcy Meyer stated that she and her family live within walking distance of this property, and that this part of Laveen is very different from the rest of the rapidly developing areas of Laveen. She stated that all the homes in this area are at least one acre in size, and very different from the other, more dense subdivisions elsewhere. She also pointed out that the comparable communities that Mr. Gilbert suggested are in close vicinity to this site are separated by Carver Mountain, which is a significant physical barrier. She stated that the applicant has not been willing to meet the community in the middle and compromise to a development that is agreed upon by everyone. Further, the applicant has used multiple continuances between hearings to discourage the public from opposing this, and the City Council has been refusing to act on the zoning reversion. She stressed that the proposal is incompatible with the surrounding area and expressed her concern with the increase in traffic at an intersection that is already very dangerous.

Mr. John Bizdel expressed his concern with this proposal being used as a way to circumvent the conventional zoning process and blindsight the community, especially given that it has no discernible benefits to the community.

Mr. Scott Johnson stated that he resides less than a half mile from the site, and that his back yard view is of the quarry, which is by no means blighted. He stated that this is the same plan that the committee heard in January, and that the proposal is just a different path to achieve the same goal. The zoning reversion should have already been processed in 2011, per the approved stipulations of the case, so Mr. Gilbert's assertion that this will be a downzoning from 99 lots to 63 is misleading, as it should be much lower than that per the zoning reversion. He urged that the committee deny this application when it comes back for a vote, as it has not changed in any way from when they denied it in January.

Mr. Tom Kingston agreed with the previous speakers' comments regarding this proposal and stated that this property is natural and beautiful, not blighted in any way, and that he does not understand the urgency to build something there, where it is not compatible.

Ms. Charla Fogle stated that the proposed lot sizes are not compatible with the area, and expressed her concern with this development posing potential drainage issues in an area that is already prone to flooding.

Mr. Mark Fogle expressed his concern with the traffic safety along 35th Avenue and Carver Road, stressing that no amount of street redesigning will make this stretch of road safer. Adding a development like this to the area will surely make matters even worse.

Ms. Lisa Vializ stated that the matter of the zoning reversion must be clarified before moving forward with this case, and that the proposed zoning is incompatible with the area. The proposal does not incorporate all of the stipulations that were agreed upon, and it is simply a different way to try to approve the same plan which the community has been consistently opposing for 12 months, and their position has not changed. She then stated that Mr. Gilbert's presentation was inaccurate, stating that there are no comparable neighborhoods in the area, and that all of the lots south of the mountain are acre lots. The proposed lot sizes of 60 feet by 120 feet are incompatible with the character in this area. She then explained that Councilman Garcia had repeatedly stated that he would not be supportive of an increase in density here. She urged that they move forward with the original zoning case and withdraw this PUD, as it is not in the best interest of the community.

Mr. Ivan Vializ stated his opposition to this proposal, as it undermines all the work that has been done by the community.

Mr. Gilbert stated that he will formulate responses to some of the more detailed questions for the next hearing but will provide responses to some of the questions and comments posed tonight. He explained that the current zoning on the property allows for 99 lots, and that the current site plan shows those 99 lots. Further, staff has provided a list of the stipulations from the PHO case to be incorporated into the PUD narrative, which the applicant is willing to do. Some of the speakers stated that the applicant is not

willing to meet the community in the middle, but the applicant is reducing the number of lots from the approved 99 to 61, which is a significant compromise. He then addressed the comments regarding incompatibility, stating that the proposal is consistent with the General Plan Land Use Map designation and, in fact, is much lower than the density allowed by it. The envisioned lot size will be 60 feet by 120 feet, and the reason that the PUD narrative lists 50 feet by 110 feet is so there is some flexibility for those lots that will have an irregular configuration. Other comments were made regarding the lack of benefit to the community, whereas the proposal will be covering up rock scarring from the gravel mining operation, revegetating the quarry and the trails on the property, and providing 26 percent open space on the site.

Ms. Rowe asked for clarification regarding the boundaries of the proposal, as Ms. Manning had alluded to a larger area. She also asked for clarification regarding the zoning reversion. **Ms. Mastikhina** explained that the original PHO case included 20 acres of R1-8-zoned property, as well as 60 acres of R1-18-zoned property, which is immediately to the west of the site. This PUD covers only the 20 acres of R1-8 zoning. **Chairman Branscomb** explained that the original case was stipulated to be built within 4 or 5 years of approval and, if nothing had been built by then, the zoning would have to be reverted back to S-1, as a safeguard for the community.

Vice Chair Glass asked that Ms. Mannin provide the committee with the items that the community had negotiated with the developer, so that they may review and take into consideration.

Ms. Hurd stated that it was her understanding that the city cannot process a zoning reversion. She then asked Ms. Manning what she though about the developer meeting the community in the middle, as the Planning Commission may decide that the developer did indeed meet them in the middle and reach a compromise agreed upon by all. **Ms. Manning** reiterated that the approved ordinance from the original zoning case lists the provision for the zoning reversion, which should have been done in 2011 and continues to be an open action to be resolved by the city. She explained that the negotiations that have occurred between the community and the developer were done in good faith with the previous representative from Rose Law Group. The community was negotiating up from a density of 0 to 1 dwelling units per acre, while the applicant was negotiating down from their approved 99 lots. She stated that they had reached an agreement to follow R1-18 standards, which would provide for 80- by 130-foot lots, which is more compatible with the area and would also be executable by the developer. **Ms. Hurd** stressed that she wants to support the community, and also stressed that the traffic safety matter must be thoroughly addressed.

Ms. Abegg stressed that the commitments made by the developer during the PHO case should be included in the PUD, and that the committee make sure that the best possible plan is being moved forward through the process. She pointed out that the PHO case is still active and asked how the hearing process for this PUD will align with the PHO case, as it is unusual to have two active entitlement cases on the same property. **Ms. Mastikhina** explained that the PHO case has been continued by the City Council until April, and that the intent of this PUD is to get through the hearing process so that the City Council date aligns with the PHO case and a decision can be made on which one is the best course of action. **Ms. Abegg** then asked if the PUD will go on to the Planning Hearing Officer or Planning Commission after the Village Planning Committee. **Ms. Mastikhina** explained that it will first come back to the Village Planning Committee for a

recommendation and a vote, after which it will move on to Planning Commission and ultimately City Council.

Ms. Rowe asked if the R1-18 portion of the property is still moving forward, or if it is no longer being considered as part of the development proposal. **Ms. Abegg** stated that the original zoning case included larger lots on the R1-18 portion and small condos on the R1-8 portion. The R1-18 portion is not being changed, just the area that allows smaller units. **Ms. Rowe** asked for future clarification on why the discussion is focused on the R1-8 portion of the property if the community had negotiated in the R1-18 portion.

Vice Chair Glass requested that staff bring in the Maricopa Department of Transportation and the Phoenix Street Transportation Department to discuss the traffic safety issues on 35th Avenue and Carver Road.

Chairman Branscomb urged that the entire committee thoroughly read the proposed development narrative before this case comes back for a vote, as that is where all of the development and design standards for this property will be outlined.

Laveen
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-60-20-8

Date of VPC Meeting	April 12, 2020
Request From	R1-8 (Single-Family Residence District) (19.35 acres)
Request To	PUD (Planned Unit Development) (19.35 acres)
Proposed Use	Planned Unit Development to allow single-family residential
Location	Northwest corner of 35th Avenue and Carver Road
VPC Recommendation	Approved with additional stipulations
VPC Vote	5-2-1

VPC DISCUSSION & RECOMMENDATION:

Ms. Sofia Mastikhina, staff, provided an overview of the request, including its location, current zoning and General Plan Land Use Map designation, and surrounding conditions. She outlined the zoning history of the site, explaining that it had been rezoned to R1-8 in 2007 as part of a larger rezoning case (Z-165-06-07). The original stipulated site plan depicted 22 one-acre lots on the R1-18 portion of the site and 99 single-family detached units on the R1-8 portion, which now corresponds to the boundaries of the proposed PUD. In 2019, a request for modification of stipulations of entitlement (PHO) was submitted, with a site plan depicting 92 single-family detached units. After considerable community concerns surfaced, the applicant revised and submitted a new site plan depicting 63 single-family residential lots. On October 7, 2020, the City Council continued the PHO case for six months to allow the applicant to pursue a “downzoning” of the site and reduce the maximum permitted density. Ms. Mastikhina then outlined the development standards, landscape development standards, and design guidelines in the proposed PUD development narrative. She presented staff’s findings, recommendation for approval, and the recommended stipulations of approval, per the staff report. She noted that one additional stipulation is being proposed by staff to address any potential conflicts between the proposed development standards within the PUD and the City’s Hillside Ordinance. She explained that staff is recommending that a statement be added to the development narrative to clarify that the city’s hillside requirements supersede any of the standards contained within the development narrative.

Mr. Paul Gilbert, representative with Beus Gilbert McGroder, provided an overview of the request and history of the site, explaining that the subject site is a former mining quarry. He listed nearby residential developments that have lot sizes comparable to what is being proposed in this PUD. He then explained that the current zoning of the

property is R1-8, and that it's had this designation since 2007. The maximum density that is allowed under the zoning designation is 99 units, and the PUD proposes 61. Combined with the R1-18 site to the west, a total of 121 units are proposed, which corresponds to a density of 2.05 dwelling units per acre. He pointed to the General Plan Land Use Map designation of Residential 3.5 to 5 dwelling units per acre, stating that the proposal is not only consistent with this designation, but is lower. Then, he listed some of the elements included in the proposed PUD development narrative that have been directly pulled from the Laveen Southwest Growth Study. He explained that this is one of the reasons why this PUD is not a simple repackaging of the previous Planning PHO case, as enhanced standards are being proposed. He also listed the elements that have been incorporated as requested by members of the Laveen Village Planning Committee and the community, such as the prohibition of multifamily or single-family attached products, internal complete streets design enhancements, no two-story homes along 35th Avenue, enhanced open space areas, and increased setbacks. He added that the hillside that has been scarred by the mining operation will be restored using Eonite or Permeon to achieve a natural appearance, and that the applicant's team is also working with the Maricopa County Department of Transportation to address the redesign and street dedications of 35th Avenue and Carver Road. He asked for the committee's approval, per the staff recommendation.

Ms. Sharifa Rowe asked why the applicant can't achieve the unit count of 46 lots that the community is asking for. **Mr. Gilbert** replied that they have already decreased the unit count from 99 to 61 units, and that they can't go any lower than that. **Ms. Rowe** asked if this is because a further reduction in the density would mean the loss of a profit margin, given the cost to develop this land with all proposed and required improvements. **Mr. Jeremy Hall**, the property owner's representative, explained that the challenges of developing this site necessitate a minimum number of lots in order to be financially feasible.

Mr. Robert Branscomb stated that, although the originally approved plan depicted 99 lots, this density would not be able to be achieved as the original case had not included a slope study, which limits the density that is possible on the site. He explained that the property owner had conducted a slope analysis and that this is why they had pursued the PHO with a new plan. He asked why they are not keeping the R1-8 zoning, with the reduced number of lots per the slope study. **Mr. Gilbert** explained that one of the community's chief concerns was the R1-8 zoning designation on the property and the precedent it could set for future developments in this area. The second reason is that the PUD gives the property owner the ability to increase the quality of the design. **Mr. Branscomb** then expressed concern with the proposal to plant one tree per one thousand square feet of open space, as this seems very sparse. **Mr. Gilbert** explained that the trees are required to be clustered to provide shade in the active open space areas, where seating and a tot lot are located. He noted that the PUD also required one tree per residential lot along the street, which the conceptual landscape plan does not depict. The large setbacks along 35th Avenue and Carver Road have their own landscaping standards, which are much more robust than the interior landscaping requirements. Further, the open space areas along the hillside will be revegetated to their natural state.

Vice Chair Linda Abegg stated that she had discussed some changes to the PUD narrative with Mr. Gilbert, which she read into the record and requested confirmation of the applicant's agreement to incorporating them into the narrative:

- That a minimum of three building materials be used on the exterior walls instead of two, with a minimum of 25 percent non-stucco material;
- That the required trees along 35th Avenue and Carver Road be a minimum of two-inch caliper, and that at least 40 percent of all trees be minimum three-inch caliper in size;
- That the minimum side yard setback for individual lots be three feet, with minimum combined side yard setback of 13 feet. This is to ensure all residences will be detached.

Mr. Gilbert confirmed that they are agreeable to these changes.

Chair Glass applauded the applicant's efforts to engage the community and the superior design standards that have been proposed in this PUD. She then expressed concern with traffic safety at the intersection of 35th Avenue and Carver Road, as well as the stormwater drainage from the mountain and through the proposed development, and its impact on surrounding properties. Further, the split of jurisdictional responsibilities on the site between the City of Phoenix and Maricopa County poses an additional challenge when addressing streets and drainage. She explained that the City of Phoenix had not made any changes to its hillside or grading and drainage requirements since the floods of 2014 impacted the community. She asked that the developer inquire further into these matters to ensure that neighboring properties are not negatively impacted by this development. **Mr. Gilbert** addressed the traffic safety concerns, stating that the already existing issues will not be significantly impacted by the addition of 61 single-family units, as this is very miniscule compared to the existing traffic. He added that, as part of the development requirements and as stipulated by staff, the developer will be required to submit a Traffic Impact Report, which will address any traffic issues. Regarding the stormwater management, the development will also be required to submit very detailed grading and drainage plans, which the city will review thoroughly. He also proposed that the project engineer review the city's standards and, if he finds them inadequate, the project will propose enhanced drainage mitigation standards.

PUBLIC COMMENT

Mr. Scott Johnson, president of the Hangar Haciendas Homeowners Association, expressed his opposition to the project. He explained that their community operates a private airport that has existed since 1978, and that the flight path of these private aircrafts is right over the proposed project site, so proper notice of these activities should be provided to potential buyers. He then urged the committee to deny this application, as they months ago. In 2011, the city failed to revert the zoning per Stipulation No. 19, and continues to refuse to do so, even with Councilman Garcia's and the community's support for the reversion. Had the zoning been rightfully reverted, the maximum number of lots permitted would have been 20, so the proposed 61 units is an increase of over 300 percent. The community's proposal of 46 lots, in contrast, is an increase of 130 perfect, which is a reasonable increase. He again asked that the committee deny this application and recommend that the zoning be reverted.

Ms. Lisa Vializ stated that this property should have long ago been reverted to its original S-1 zoning, and that the fact that the property had not been developed in the timeframe stipulated remains an open issue. She explained that the applicant is still providing misleading density calculations by including the adjacent R1-18-zoned 40-acre property to lower their overall proposed density figure. Further, the applicant has

not been responsive to the community's and councilmember's attempts to reach a reasonable compromise, which is to zone the property as R1-18, with a maximum of 46 lots – a proposal that is supported by Councilman Garcia. She expressed her hope to work with a developer who will build something that matches the surrounding community, which has not been the case with this project. She asked that the committee deny this application, as it will set a very bad precedent for the undeveloped land in the area.

Mr. Jon Kimoto praised the applicant for incorporating tremendous attributes such as the upgraded site enhancements for drainage ways, building pads, open space, and the high quality of the proposed landscaping and high design standards. However, the main issue is that the designation of Residential 3.5 to 5 dwelling units per acre is not at all compatible with the approved Land Use Plan in the 1998 Laveen Southwest Growth Study, which designated all existing low density neighborhoods between the Carver Mountains and South Mountain as Residential 0-1 dwelling units per acre. He stressed that the preservation of the desert landscape and the agrarian environment is of utmost importance. He then presented an exhibit showing the proposed site plan and the community designed site plan, which depicts 46 lots. He stated that the PUD site plan is not much different from what was approved by the Planning Hearing Officer and thus is not an improvement on the old plan. The community's plan provides a better layout which considers the unique contours of the site and provides a better landscape buffer for the property to the south. He also suggested that final site plan, building elevations, landscape plan, perimeter walls and fences plan, lighting plan, and sign plan be required to come back to the committee for review approval prior to final City of Phoenix approval.

Ms. Cyd Manning stated that she has been a resident of the community for twenty-one years, and that she has led the community fight against development on this property since the original rezoning case in 2007. She reminded the committee of the overwhelming community opposition to the PHO case and presented a photo of the January 2020 Laveen Village Planning Committee meeting, which was attended by over 140 members of the public. She also presented a photo of community members gathered at the project site to protest the development. These exhibits were shown to illustrate the community's strong opposition to a proposal that is entirely incompatible with the surrounding area. She presented an exhibit depicting the General Plan Land Use Map, pointing out that a large swathe of land, from around the Carver Mountains, down to South Mountain Preserve, and stretching east to 27th Avenue, is designated Residential 0 to 1 dwelling units per acre. She explained that the only reason the quarry site has Residential 3.5 to 5 dwelling units per acre is because of a former Councilmember that refused to support the community when voting on the 2007 Rezoning and General Plan Amendment case. Per the stipulations of this case, the zoning of the property should have been reverted to S-1, and the General Plan Land Use Map designation also reverted to reflect this density restriction. However, the city has not enforced its own ordinance requirements. Ms. Manning moved on to address the current proposal, stating that the plan has not changed substantially from the previous case, and that it still fails to address the core issue of zoning and density. She explained that Laveen lacks diversity in large lots, and that this is the area where they exist. She presented a zoning map of the area and pointed out that all adjacent properties, including the subject site, are between zero to two dwelling units per acre, which is why the community is specifically asking for 46 lots, as it corresponds to the highest end of the R1-18 district. She pointed out that the applicant is running both the

PHO and the PUD cases concurrently, and that the latter serves to mask the real issue of density by providing some additional elements such as trees, side-entry garages and a community garden. However, the same elements can be included as stipulations to an R1-18 zoning entitlement. She then pointed out that the proposed site plan assumes a flat site, when in fact there is a lot of topography there and the applicant's proposed layout does not work with the hillside contours. She further stated that the applicant points to the Laveen Southwest Growth Study to bolster their argument for approval, yet this study clearly stated that the 0 to 1 dwelling units per acre designation was placed on properties adjacent to the Carver Foothills and South Mountain park, and that this area is appropriate for low density development due to the topography of slopes and washes. The R1-18 zoning is supposed to act as a buffer between this low-density area and the higher density developments to the north. She reiterated that this PUD is equivalent to R1-8 zoning, which is incompatible with the area, and urged that the committee recommend approval of the community proposal of 46 lots. **Chair Glass** asked if the community is standing firm on 46 lots, or if they would be willing to consider adding a few lots. **Ms. Manning** stated that they are firm on 46 lots, that this is the highest possible density allowed under R1-18 zoning, and that this number is extremely important to them.

Mr. Dan Penton stated that people are drawn to Laveen by the sunshine, cultural heritage, climactic diversity, open space, and unique geographic features that provide access to recreational opportunities in the desert mountain landscape. He explained the many features in Arizona which have contributed to rapid population growth and explosive sprawl of the built environment, which creates issues such as traffic congestion, pollution, and reduction of the state's natural beauty. The rapid influx of new residents contributes to higher housing costs, increased consumption of potable water and energy resources, as well as environmental impacts such as urban heat island effect, diminished air quality, fragmentation of the natural habitat, loss of streams and river beds, loss of grasslands, and the introduction of invasive species. Although there have been mixed successes of growth, this type of growth has become unsustainable. The Laveen Southwest Growth Study states that the bulk of 0 to 1 dwelling units per acre development should be south of Dobbins Road, especially around the Carver Foothills. He asked the applicant to demonstrate how the proposed R1-8 plan will be an asset to the community and will not contribute to the deterioration of the area. He also asked why they have consistently avoided the R1-18 plan, when that is the zoning that is widely present in the surrounding area. Mr. Penton agreed that this plan has gone through a lot of changes through the public hearing processes, but stated that the layout has remained the same and lacks a sense of vision and thoughtful design, it does not incorporate the agricultural heritage of the area, and is not consistent with a sustainable development that would be expected in this environmentally sensitive area. He stated that the development can be achieved in a more sustainable manner, per Ms. Manning's and the community's suggested plan.

Mr. Phil Hertel expressed his concern with the two entitlement cases, the PHO and the PUD, being heard separately, as this creates the chance that something will get overlooked and one of the plans will get approved. He asked that the committee continue this case instead of denying it to allow for further community engagement on the matter.

Ms. Irma Cazarez stated that she has been a resident on Laveen for over fifteen years and has lived south of the subject site since 2008. She explained that what drew her

and her family to the area was the open space, low density, and its true connection to nature. The proposed development is completely incompatible for the area, and if it were to get approved, it would remove the area's true character. She urged the committee to deny this case and approved the plan of 46 lots that is being proposed by the community.

Ms. Regina Abbott agreed with the comments made by all other community members in that this proposal is not compatible with the area. She stated that she and her family moved to the area to be close to nature, enjoy the wide-open spaces and the rural character of Laveen. The community proposal of 46 lots would be preferable, and the PUD as proposed would likely bring more of the same type of development, which would eliminate the country feel.

Ms. Darcy Meyer explained that this is a very quiet area which provides a safe escape from the city. This proposal would drastically change the look and feel of this side of the Carver Mountains. She explained that there are two sides to this: those who will profit from it, and the community that is opposed to it. The former will collect their check and the latter will have to live with it. She urged the committee to preserve and protect this community.

Mr. Gilbert stated that this site is already zoned for a maximum of 99 units, and that the reversion stipulation has been in place for many years, but the city is not going to act on it. He further explained that the General Plan allows the proposed density, and that the project provides high quality design. He reiterated that the site has already been zoned, so the community's argument that they have compromised from the S-1 zoning up to 46 lots is incorrect, as it is not a compromise. The property owner would be able to develop an R1-18 development without the entitlement change. The property owner has compromised, bringing the unit count down from 99 to 61 units, as well as complied with several of the committee's and community's requests and stipulations. He then explained that the Land Use Plan in the Laveen Southwest Growth Study preceded the Phoenix General Plan, so it is outdated, and the current General Plan applies to the site. He noted staff's recommendation for approval and asked the committee to also provide a recommendation for approval.

MOTION

Vice Chair Abegg agreed with the community's comments and stated that this area of Laveen is indeed very special and unique, and that the zoning is not compatible with what is in the area. She stated that the current entitlement does allow more density, but that the rezoning case had the stipulation for the zoning reversion back to low density. Although the applicant has agreed to many of the community's requests, the issue of the density incompatibility remains. She made a motion to approve the request, with the additional staff recommended stipulations, as well as the following stipulations for changes in the PUD narrative:

- Each home will include two alternative building materials in addition to the primary building material for architectural elevations, plus garage enhancements such as window panels, color, added materials surrounding door, and trellises;
- The primary building material shall not exceed 75 percent of all front and exposed side elevations and street facing elevations;
- Trees along the arterial roads, Carver Road and 35th Avenue, will have a minimum tree size of two-inch caliper, and a minimum of 40 percent of all trees

must be minimum three-inch caliper;
- Minimum 3-foot side yard setback for individual lots, with a combined setback for 13 feet for both sides;
- A maximum of 46 residential units;
- A minimum lot size of 8,700 square feet.

Chair Glass seconded and asked to amend the motion to include the requirement for an enhanced drainage survey and hillside review that goes above and beyond the city requirements. **Vice Chair Abegg** accepted the amendment.

Ms. Stephanie Hurd made a competing motion to the deny the case as filed. **Ms. Jennifer Rouse** seconded the motion.

Chair Glass stated that this is a very emotional and contentious project and that, although the committee cannot vote to approve an R1-18 zoning district, they can try to enhance and incorporate as much of the community's desires as they can as this project moves forward. She explained that the committee is very cognizant of the importance of this project, as it has gone on for several years, and expressed her fear that if they do not move forward with creating a very dynamic narrative that will also include the community's preferred maximum lot count, the community's fight against this proposal may be even harder. She further explained that a recommendation with these changes is merely a mechanism for the committee to ensure that the community is heard, and urged the members of the public present to continue to be outspoken through the remainder of the process so that Planning Commissioners and City Councilmembers know how passionate they are about this.

VOTE TO DENY

2-5-1: Motion fails with committee members Hurd and Rouse in favor, committee members Branscomb, Estela, Flunoy, Abegg and Glass opposed, and committee member Rowe abstaining.

VOTE TO APPROVE WITH ADDITIONAL STIPULATIONS

5-2-1: Motion passes with committee members Glass, Abegg, Branscomb, Estela and Flunoy in favor, committee members Hurd and Rouse opposed, and committee member Rowe abstaining.

STIPULATIONS

1. An updated Development Narrative for the Carver Canyon 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 April 5, 2021, as modified by the following stipulations:

    a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: April 5, 2021; City Council adopted: [Add adoption date].

    b. Page 8, Delete "Churches/Places of Worship (pursuant to the restrictions of Section 608.E.1 of the Phoenix Zoning Ordinance; including, Pocket Shelters shall not be permitted)" from the Prohibited Uses list.

C. PAGE 11, HILLSIDE TREATMENT: INCLUDE THE FOLLOWING STATEMENT AT THE BOTTOM OF THIS SECTION: “THIS PUD IS SUBJECT TO ALL CITY OF PHOENIX HILLSIDE DEVELOPMENT STANDARDS, INCLUDING BUT NOT LIMITED TO DENSITY RESTRICTIONS, WHICH MAY REQUIRE DEVIATIONS FROM THE INCLUDED EXHIBITS THAT HAVE NOT BEEN REVIEWED FOR HILLSIDE COMPLIANCE. ALL HILLSIDE STANDARDS AND REQUIREMENTS SHALL OVERRIDE ALL ZONING STANDARDS, INCLUDING CONFLICTS WITH ANY OF THE PUD STANDARDS INCLUDED WITHIN.”

D. PAGE 8, DEVELOPMENT STANDARDS TABLE: MODIFY MAXIMUM NUMBER OF LOTS TO 46 LOTS TOTAL.

E. PAGE 8: DEVELOPMENT STANDARDS TABLE: MODIFY INDIVIDUAL LOT DIMENSIONS TO REFLECT A MINIMUM LOT SIZE OF 8,700 SQUARE FEET.

F. PAGE 9, DEVELOPMENT STANDARDS TABLE: MODIFY MINIMUM INDIVIDUAL LOT SETBACKS FOR SIDE YARD AS FOLLOWS: “3-FOOT MINIMUM, 13 FEET COMBINED MINIMUM”

G. PAGE 12, LANDSCAPE STANDARDS TABLE, ARTERIAL ROAD PLANTINGS: MODIFY ITEM NO “3” TO REQUIRE THAT ALL TREES SHALL BE MINIMUM 2-INCH CALIPER, AND A MINIMUM OF 40 PERCENT OF ALL TREES SHALL BE MINIMUM 3-INCH CALIPER.”

H. PAGE 14, EXTERIOR WALLS: MODIFY FIRST BULLET SO THAT EACH HOME SHALL INCLUDE TWO ALTERNATIVE BUILDING MATERIALS IN ADDITION TO THE PRIMARY BUILDING MATERIAL ON ALL ARCHITECTURAL ELEVATIONS, PLUS GARAGE ENHANCEMENTS SUCH AS WINDOW PANELS, COLOR, ADDED MATERIALS SURROUNDING DOOR, AND TRELLISES; AND THAT THE PRIMARY BUILDING MATERIAL SHALL NOT EXCEED 75 PERCENT OF ALL FRONT AND EXPOSED SIDE ELEVATIONS AND STREET FACING ELEVATIONS;

2. Carver Road and 35th Avenue are under MCDOT jurisdiction, the applicant shall submit verification of MCDOT approval for improvements prior to preliminary site plan approval.

3. The developer shall dedicate minimum 55-feet of right-of-way for the west half of 35th Avenue, as approved by the Planning and Development Department

4. The developer shall dedicate minimum 40-feet of right-of-way for the north half of Carver Road, as approved by the Planning and Development Department.

5. The developer shall dedicate additional right-of-way and provide improvements to the 35th Avenue and Carver Road intersection as per geometric design approved by the Maricopa Department of Transportation. Provide approved design and verification of approval to the City of Phoenix, Street Transportation Department prior to preliminary submittal. The design will need to provide access to 35th Avenue south of Carver Road.

6. 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. Contact the Street Transportation Department to set up a meeting to discuss the requirements of the study. Upon completion of the TIS the developer shall submit the completed TIS to the Planning and Development Department counter with instruction to forward the study to the Street Transportation Department, Development Coordination Section.

7. The applicant shall complete and submit the Developer Project Information Form for the Maricopa Association of Governments Transportation Improvement Program. This form is a requirement of the Environmental Protection Agency to meet clean air quality requirements.
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. Clearly defined, accessible pedestrian pathways shall be provided to connect building public sidewalks and community amenities using the most direct route for pedestrians, as approved by the Planning and Development Department.

10. 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.

11. 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.

12. 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.

13. 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.

14. Prior to final site plan approval, the property owner shall record documents that disclose to tenants of the site or purchasers of property within the site, the existence, proximity, and operational characteristics of active aviation uses in the Hangar Haciendas Units One, Two, and Three subdivisions located approximately 2,300 feet to the east of the subject property in Maricopa County. 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. Prior to final site plan approval, the property owner shall record documents that disclose to tenants of the site or purchasers of property within the site, the existence, proximity, and operational characteristics of active agricultural uses and non-domesticated animal keeping. 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

16. THE DEVELOPER SHALL COMPLETE AN ENHANCED DRAINAGE SURVEY AND HILLSIDE REVIEW THAT GOES ABOVE AND BEYOND THE CITY REQUIREMENTS.

STAFF COMMENTS REGARDING VPC RECOMMENDED STIPULATIONS

Staff is not supportive of Stipulation No. 16, which was recommended by the Laveen Village Planning Committee. Grading and drainage requirements are a very technical matter that go beyond the scope of an entitlement case and should be analyzed during the Plan Review process once engineering documents for a specific development have been submitted. Further, per Background Item No. 21 of the staff report, the city shall require the developer to submit a hydraulic/hydrologic analysis of offsite storm water flows for verification of required infrastructure in regard to lot space and density. Staff believes this is sufficient to address the committee's concerns.

Attachment E

REPORT OF PLANNING COMMISSION ACTION
May 6, 2021

ITEM NO: 16	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	**Z-60-20-8 (Carver Canyon PUD)**
Location:	Northwest corner of 35th Avenue and Carver Road
From:	R1-8
To:	PUD
Acreage:	19.35
Proposal:	Planned Unit Development to allow single-family residential
Applicant:	Virtua 35th, LLC
Owner:	Virtua 35th, LLC
Representative:	Paul E Gilbert, Beus Gilbert, McGroder

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:
Laveen 12/14/2020 Information only.
Laveen 4/12/2021 Approval, per the staff recommendation with additional stipulations. Vote: 5-2 (1 abstained).

Planning Commission Recommendation: Approval, per the Laveen Village Planning Committee recommendation, with modified stipulations.

Motion Discussion: Commissioner Busching made a MOTION to approve Z-60-20-8, per the Laveen Village Planning Committee recommendation with a modification to Stipulation No. 16 to add “as approved by the Planning and Development Department” and a modification to Stipulation No. 1.f. to modify the side yard setbacks to a minimum combined setback of 13 feet with a minimum of six feet, instead of three feet.

Commissioner Perez made a second to the motion and asked if Commissioner Busching would accept a friendly AMENDMENT to the motion to require that the site plan go back to the Laveen Village Planning Committee prior to final site plan approval for review and comment. Commissioner Busching accepted the amendment. Commissioner Perez made a second to the amended motion. There was discussion about the amendment. Commissioner Johnson explained that he did not support the amendment and discussed modifying the number of lots. Commissioner Busching reconsidered the amendment. Chairperson Shank also expressed that she did not agree with the amendment and would be open to modifying the number of lots. Commissioner Perez stated that she would be happy to withdraw her amendment. Commissioner Busching also agreed with WITHDRAWING THE AMENDMENT to the motion.

There was discussion about the potential for the property to develop with 99 lots under the current zoning entitlement. Ms. Racelle Escolar (staff) explained that it is possible for

the applicant to withdraw this rezoning request and use the current zoning. However, she explained that there are several stipulations related to the current zoning that may not work for the development, in particular there is a time stipulation that would have to be addressed.

Chairperson Shank asked for a vote. The motion failed with a 3 to 6 vote (Gaynor, Gorraiz, Johnson, Mangum, McCabe, Shank).

Commissioner Johnson made a MOTION to approve Z-60-20-8, per the Laveen Village Planning Committee recommendation with a modification to Stipulation No. 16 to add "as approved by the Planning and Development Department", a modification to Stipulation No. 1.f. to modify the side yard setbacks to a minimum combined setback of 13 feet with a minimum of six feet, and a modification to 56 units. Commissioner Gorraiz made a second to the motion.

Motion details: Approval, per the Laveen Village Planning Committee recommendation with a modification to Stipulation No. 16 to add "as approved by the Planning and Development Department", a modification to Stipulation No. 1.f. to modify the side yard setbacks to a minimum combined setback of 13 feet with a minimum of six feet, and a modification to Stipulation No. 1.d. to change the number of lots from 46 to 56.

Maker: Johnson
Second: Gorraiz
Vote: 5-4 (Busching, Perez, Howard, Shank)
Absent: None
Opposition Present: Yes

Findings:

1. The proposed PUD is consistent with the General Plan Land Use Map designation of 3.5 to 5 dwelling units per acre.

2. The maximum permitted density within this proposal is significantly less than what is permitted by right under the site's current zoning designation.

3. The proposal effectively solidifies the development standards that were developed as a collaboration between the applicant and members of the community over a year-long PHO process.

Stipulations:

1. An updated Development Narrative for the Carver Canyon 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 April 5, 2021, as modified by the following stipulations:

    a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: April 5, 2021; City Council adopted: [Add adoption date].

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D. PAGE 8, DEVELOPMENT STANDARDS TABLE: MODIFY MAXIMUM NUMBER OF LOTS TO ~~**46**~~ **56** LOTS TOTAL.

E. PAGE 8: DEVELOPMENT STANDARDS TABLE: MODIFY INDIVIDUAL LOT DIMENSIONS TO REFLECT A MINIMUM LOT SIZE OF 8,700 SQUARE FEET.

F. PAGE 9, DEVELOPMENT STANDARDS TABLE: MODIFY MINIMUM INDIVIDUAL LOT SETBACKS FOR SIDE YARD AS FOLLOWS: “~~**3-FOOT**~~ **6-FOOT** MINIMUM, 13 FEET COMBINED MINIMUM”.

G. PAGE 12, LANDSCAPE STANDARDS TABLE, ARTERIAL ROAD PLANTINGS: MODIFY ITEM NO. 3 TO REQUIRE THAT ALL TREES SHALL BE MINIMUM 2-INCH CALIPER, AND A MINIMUM OF 40 PERCENT OF ALL TREES SHALL BE MINIMUM 3-INCH CALIPER.

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2. Carver Road and 35th Avenue are under MCDOT jurisdiction, the applicant shall submit verification of MCDOT approval for improvements prior to preliminary site plan approval.

3. The developer shall dedicate minimum 55-feet of right-of-way for the west half of 35th Avenue, as approved by the Planning and Development Department.

4. The developer shall dedicate minimum 40-feet of right-of-way for the north half of Carver Road, as approved by the Planning and Development Department.

5. The developer shall dedicate additional right-of-way and provide improvements to the 35th Avenue and Carver Road intersection as per geometric design approved by the Maricopa Department of Transportation. Provide approved design and verification of approval to the City of Phoenix, Street Transportation Department prior to preliminary submittal. The design will need to provide access to 35th Avenue south of Carver Road.

6. 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. Contact the Street Transportation Department to set up a meeting to discuss the requirements of the study. Upon completion of the TIS the developer shall submit the completed TIS to the Planning and Development Department counter with instruction to forward the study to the Street Transportation Department, Development Coordination Section.

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9. Clearly defined, accessible pedestrian pathways shall be provided to connect building public sidewalks and community amenities using the most direct route for pedestrians, as approved by the Planning and Development Department.

10. 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.

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12. 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.

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15. Prior to final site plan approval, the property owner shall record documents that disclose to tenants of the site or purchasers of property within the site, the existence, proximity, and operational characteristics of active agricultural uses and non-domesticated animal keeping. 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.

16. THE DEVELOPER SHALL COMPLETE AN ENHANCED DRAINAGE SURVEY AND HILLSIDE REVIEW THAT GOES ABOVE AND BEYOND THE CITY REQUIREMENTS**, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT**.

This publication can be made available in alternate format upon request. Please contact Tamra Ingersoll at (602) 534-6648, 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:** 6/2/2021					
APPLICATION NO/ LOCATION	**Z-60-20-8 (Carver Canyon PUD)** Northwest corner of 35th Avenue and Carver Road	***(SIGNATURE ON ORIGINAL IN FILE)***			
		opposition	**x**	**applicant**	
Phoenix, AZ 85013	PC 5/6/2021	8921 South 53rd Drive Laveen, AZ 85339			
	PC DATE	*STREET/ADDRESS/CITY/STATE/ZIP*			
TO PC/CC HEARING	CC 6/2/2021	Lisa Vializ 602-741-5722 Lisa.vializ@honeywell.com			
	CC DATE	*NAME / PHONE / EMAIL*			
REASON FOR REQUEST: The Laveen Village Planning Committee (LVPC) recommendation is compatible land use. It was clear that Planning Commission was ready to support the LVPC recommendation but received inaccurate and incomplete information from staff on the number of lots that can be built. The 56-lot recommendation from Planning Commission is at R1-10 and is incompatible land use and sets a very, very bad precedent at R1-10 for the area of S-1/RE-43/R1-18.					
RECEIVED BY:	Jazmine Braswell	**RECEIVED ON:**		5/11/2021	

Alan Stephenson
Joshua Bednarek
Tricia Gomes
Racelle Escolar
Stephanie Vasquez
Leah Swanton
Vikki Cipolla-Murillo
Danielle Jordan
Ra'Desha Williams
Village Planner
Samantha Keating
Paul M. Li
GIS
Applicant

CITY OF PHOENIX

MAY 11 2021

Planning & Development Department

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

The **PLANNING COMMISSION** agenda for **May 6, 2021** 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. **May 13, 2021**.

   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., **May 13, 2021**.

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. **May 13, 2021**.

   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. **May 20, 2021**.

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

Z-60-20-8
APPLICATION NO.

5/6/21
DATE APPEALED FROM

☒ OPPOSITION
☐ APPLICANT

NWC 35TH AVE & CARVER RD.
LOCATION OF APPLICATION SITE

Jazmine Braswell
PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

LISA VIALIZ
PRINTED NAME OF PERSON APPEALING

8921 S. 53RD DR.
STREET ADDRESS

LAVEEN, AZ 85339
CITY, STATE & ZIP CODE

LISA.VIALIZ@HONEYWELL.COM
EMAIL ADDRESS

Lisa Vializ
SIGNATURE

5/11/21
DATE OF SIGNATURE

602-741-5722
TELEPHONE NO.

REASON FOR REQUEST THE LVPC RECOMMENDATION IS COMPATIBLE LAND USE. IT WAS CLEAR PC WAS READY TO SUPPORT THE LVPC RECOMMENDATION, BUT RCVD INACCURATE & INCOMPLETE INFORMATION FROM STAFF ON # OF LOTS THAT CAN BE BUILT.

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

THE 56 LOT RECOMMENDATION FROM PC IS AT R1-10 AND IS INCOMPATIBLE LAND USE AND SETS A VERY VERY BAD PRECEDENT AT R1-10 FOR THIS AREA OF: S-1/RE-43/R1-18 LOTS.

CITY OF PHOENIX
PLANNING AND DEVELOPMENT DEPARTMENT

FORM TO REQUEST PC to CC **I HEREBY REQUEST THAT THE CC HOLD A PUBLIC HEARING ON:** 6/2/2021					
APPLICATION NO/ LOCATION	**Z-60-20-8 (Carver Canyon PUD)** Northwest corner of 35th Avenue and Carver Road	***(SIGNATURE ON ORIGINAL IN FILE)***			
		opposition	**x**	**applicant**	
Phoenix, AZ 85013	PC 5/6/2021	3220 West Ceton Drive Laveen, Arizona 85339			
	PC DATE	*STREET/ADDRESS/CITY/STATE/ZIP*			
TO PC/CC HEARING	CC 6/2/2021	Cyd Manning 480-747-0769 Sweetbeat@q.com			
	CC DATE	*NAME / PHONE / EMAIL*			
REASON FOR REQUEST: The Laveen Village Planning Committee (LVPC) recommendation is compatible land use. It was clear that Planning Commission would have supported the LVPC recommendation as is had they received complete and accurate information from staff. The Planning Commission's 56-lot recommendation is not compatible land use.					
RECEIVED BY:	Jazmine Braswell	**RECEIVED ON:**	5/11/2021		

Alan Stephenson
Joshua Bednarek
Tricia Gomes
Racelle Escolar
Stephanie Vasquez
Leah Swanton
Vikki Cipolla-Murillo

Danielle Jordan
Ra'Desha Williams
Village Planner
Samantha Keating
Paul M. Li
GIS
Applicant

CITY OF PHOENIX

MAY 11 2021

Planning & Development Department

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

The **PLANNING COMMISSION** agenda for **May 6, 2021** 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. **May 13, 2021**.

   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., **May 13, 2021**.

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. **May 13, 2021**.

   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. **May 20, 2021**.

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

Z-60-20-8
APPLICATION NO.

NWC 35th Ave. + Carver Rd.
LOCATION OF APPLICATION SITE

May 6, 2021
DATE APPEALED FROM

☒ OPPOSITION
☐ APPLICANT

Jazmine Braswell
PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

Cyd Manning
PRINTED NAME OF PERSON APPEALING

Cyd Manning
SIGNATURE

3220 W. Ceton Dr.
STREET ADDRESS

May 10, 2021
DATE OF SIGNATURE

Laveen, AZ 85339
CITY, STATE & ZIP CODE

480-747-0769
TELEPHONE NO.

sweetbeatcq.com
EMAIL ADDRESS

REASON FOR REQUEST The LVPC recommendation is compatible land use. It was clear Planning Commission would have supported the LVPC recommendation as is had they received complete and accurate information from Staff.

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

The Commission's 56-lot recommendation is not compatible land use.

Attachment G

Sofia Mastikhina

From: Brent Bialik <brent@gowindspear.net>
Sent: Monday, April 26, 2021 2:56 PM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

V/R

Brent

Racelle Escolar

From: rmp5s <rmp5s1@gmail.com>
Sent: Monday, April 26, 2021 2:57 PM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

--Brent

Racelle Escolar

From: Donis Canisales <cyrannn@hotmail.com>
Sent: Monday, April 26, 2021 3:18 PM
To: Racelle Escolar
Subject: Case pud z-60-20-8

Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Donis and Frank Canisales, Jr
11020 S 35th Ave
Laveen, Az. 85339

Esperanza and Frank Canisales
11631 S 51st Ave
Laveen, Az 85339

Francisco and Becca Canisales iii
9411 S 33rd Ave
Laveen Az. 85339

Antonio Canisales
2305 w Tuckey lane
Phoenix, Az. 85015
Sent from my iPhone

Racelle Escolar

From: Cyd Manning <SweetBeat@q.com>
Sent: Monday, April 26, 2021 3:56 PM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing - Request to Support LVPC Recommendation

Importance: High

Good afternoon Racelle and Sofia,

Please ensure my below letter is provided to all Planning Commissioners and also included in the subject case file. I would also appreciate letting me know when the May 6 agenda will be posted and when the Commissioners will receive their packets for that meeting. Thank you.

Best regards,
Cyd Manning

****

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Cyd Manning
sweetbeat@q.com
480-747-0769
3220 W. Ceton Drive

Racelle Escolar

From: Vializ, Lisa <Lisa.Vializ@Honeywell.com>
Sent: Monday, April 26, 2021 4:12 PM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Importance: High

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of both density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), with a minimum lot size of 8700 sq. ft. which results in compatible land use and is equivalent to R1-18 density, along with enhanced building architecture and landscaping standards stipulations. Again..a far superior plan to that of the PHO Case. Important to note is that Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

I have lived in Arizona since 1979, where I spent approximately the first 20 years in Glendale, then a handful of years up in Anthem, before a friend told me about Laveen. I work at Honeywell by the airport and drove over after work one day in 2005 and couldn't believe this hidden gem. Close to downtown, right up against South Mountain, cotton fields and dairy's, still had that wonderful rural feel with wide open spaces…beautiful! I told my husband all about it and we came back out together a few days later and the rest is history. We have lived out here ever since! Since that time we have also purchased 3 acres of land to build a custom home. Folks are drawn to Laveen for the breathing room…Laveen has a General Plan for a reason..let's stick to the Plan and not get wrapped up in politics or pressure from investors/developers.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Lisa Vializ
8921 S. 53rd Dr.
Laveen, AZ 85339

AND

3200 W Ceton Dr.
Laveen, AZ 85339

Racelle Escolar

From: Robert Chappell <robcii01@gmail.com>
Sent: Monday, April 26, 2021 4:48 PM
To: Sofia Mastikhina; Racelle Escolar
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Robert Chappell

4707 W Maldonado Rd,

Laveen, AZ 85339

Racelle Escolar

From: Sarah VanSchyndel <sarah.vanschyndel@gmail.com>
Sent: Monday, April 26, 2021 5:13 PM
To: Racelle Escolar; Sofia Mastikhina; Council District 8 PCC
Subject: Case PUD Z-60-20-8 for 5/6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,
Sarah Johns
3913 W Carver Rd, Laveen Village, AZ 85339

Racelle Escolar

From: brian hicks <handymanhicks@gmail.com>
Sent: Tuesday, April 27, 2021 3:50 PM
To: Sofia Mastikhina; Racelle Escolar; Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Brian Hicks

4715 W Carver Rd, Laveen 85339

Attachments area

Racelle Escolar

From: Jonathan Clauss <jkclauss@mac.com>
Sent: Tuesday, April 27, 2021 9:56 PM
To: Racelle Escolar; Sofia Mastikhina; CCcouncil.district.7@phoenix.gov
Subject: Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case. Thank you for your time and attention.

Sincerely,

Jonathan and Kandy Clauss
7345 W Desert Ln
Laveen AZ
85339

Sofia Mastikhina

From: Jonathan Clauss <jkclauss@mac.com>
Sent: Tuesday, April 27, 2021 9:56 PM
To: Racelle Escolar; Sofia Mastikhina; CCcouncil.district.7@phoenix.gov
Subject: Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case. Thank you for your time and attention.

Sincerely,

Jonathan and Kandy Clauss
7345 W Desert Ln
Laveen AZ
85339

Racelle Escolar

From: Karen Allen <karen.allen789@gmail.com>
Sent: Tuesday, April 27, 2021 8:36 PM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC; Council District 7 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

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Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Karen Allen

2617 W Piedmont Rd
Phoenix, AZ 85041

Racelle Escolar

From: Brian & Karie <carvercottage2018@gmail.com>
Sent: Tuesday, April 27, 2021 3:52 PM
To: Sofia Mastikhina; Racelle Escolar; Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Karie Hicks

4715 W Carver Rd, Laveen 85339

Attachments

Racelle Escolar

From: Patricia Saya <saya.patricia@yahoo.com>
Sent: Tuesday, April 27, 2021 12:06 PM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Patricia Saya and William Orr

9607 S. 35th Avenue
Laveen AZ 85339

Racelle Escolar

From: Scott Trainor <trainorscottm@gmail.com>
Sent: Tuesday, April 27, 2021 7:54 PM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC; Council District 7 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,
The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area.

Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Scott Trainor
6602 W Ellis Dr
Laveen, AZ 85339

Sofia Mastikhina

From: Maria Zavala <mariazavalar14@gmail.com>
Sent: Wednesday, April 28, 2021 8:27 PM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Maria Zavala Roman

4115 W Calle Poco

Laveen, AZ, 85339

Sofia Mastikhina

From: Bret Burchard <bretburchard3@yahoo.com>
Sent: Wednesday, April 28, 2021 2:27 PM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

I'm writing in regards to the Carver Canyon case that will come before you during the May 6 Planning Commission Hearing. The proposed PUD is the second active zoning case for this site at the corner of 35th Ave and Carver Rd. You heard the PHO version of this case in the middle of last year and the outpouring of community opposition to high density development in this area. Now the applicant is repackaging their plan into a PUD proposal, I assume as a show of compromise with the community. But they still did not address the community's biggest concern, which is the incompatible density with the surrounding area.

Since the continuance of the PHO case last fall at the City Council meeting, the community and LVPC have provided input into the PUD process to create a superior site plan. Last month, the LVPC approved a recommendation for a PUD proposal that includes 46 lots total with a minimum lot size of 8700 sq. ft. This is equivalent to the R1-18 zoning that the community has offered as a compromise and satisfies our biggest concerns with the development of this property.

I ask that you please vote to approve and recommend the LVPC version of this PUD when you hear the case on May 6.

Thank you,

Bret Burchard
11244 S 35th Ave
Laveen, AZ 85339

Sofia Mastikhina

From: gjnorton0744@gmail.com
Sent: Wednesday, April 28, 2021 1:15 PM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing - Request to Support LVPC Recommendation

Planning Commission Members:

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.
I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Chris and Gloria Norton
10823 S 29th Ave
Laveen, AZ 85339

Sofia Mastikhina

From: Dan Braner <dan.braner@gmail.com>
Sent: Wednesday, April 28, 2021 6:43 PM
To: Racelle Escolar; Sofia Mastikhina; Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Daniel J Braner
10623 S 34th Ave
Laveen, AZ 85339

Sofia Mastikhina

From: E douglas <lizesd@gmail.com>
Sent: Wednesday, April 28, 2021 4:56 PM
To: racell.escolar@phoenix.gov; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing - Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

My neighborhood has been allowed to be overdeveloped. Fifty-first Avenue is going to have more traffic than it can handle. Again. Please save some part of what used to be rural Laveen. Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Elizabeth Douglas

4726 W. Olney Avenue

Laveen, AZ 85339

Racelle Escolar

From: Jen Leitch <4jenleitch@gmail.com>
Sent: Wednesday, April 28, 2021 9:13 PM
To: Racelle Escolar; Sofia Mastikhina; Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Hello and Good Day,

I am writing about the above PUD which is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry.

Finally, I am pleased to say I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6.

As we've said from the beginning, we understand that this site will be developed and we are looking for a project that "fits" in our area. The LVPC has recognized that this site needs less density and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting. **We are so pleased that the LVPC has recognized the importance and value of our contributions.**

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Jen Leitch

10109 S. 29th Dr.

Sofia Mastikhina

From: John Bzdel <bzdel@earthlink.net>
Sent: Wednesday, April 28, 2021 5:10 PM
To: Racelle Escolar; Sofia Mastikhina; Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing - Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

You had the opportunity earlier to address this case as PHO-1-19-Z-165-7/8 and should have reverted the case back to R1 zoning per your County Documentation for that case, however, this wasn't done. Now is your 2nd opportunity to act!

Best regards,

John Bzdel
12120 S. 39th Ave
Laveen, AZ 85339

Racelle Escolar

From: Margaret Shalley <margaretshalley92@gmail.com>
Sent: Wednesday, April 28, 2021 3:20 PM
To: Racelle Escolar; Sofia Mastikhina
Cc: council.district.7@phoenix.goc; Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

I am a resident in Laveen since 2005 and also have family members with roots here. As such, I wanted to share input regarding the above-referenced case.

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Sincerely,

Margaret Shalley
6830 W St. Catherine Avenue
Laveen, AZ

Racelle Escolar

From: Maria Zavala <mariazavalar14@gmail.com>
Sent: Wednesday, April 28, 2021 8:27 PM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Maria Zavala Roman

4115 W Calle Poco

Laveen, AZ, 85339

Racelle Escolar

From: Nicole Glasgow <blue_eyes821@aol.com>
Sent: Wednesday, April 28, 2021 3:47 PM
To: Sofia Mastikhina; Council District 8 PCC; Racelle Escolar
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,
Nicole Glasgow
3717 west Carver rd
Laveen, AZ 85339

Racelle Escolar

From: Steven Dougherty <steven@stevendougherty.com>
Sent: Wednesday, April 28, 2021 1:17 PM
To: Racelle Escolar; Sofia Mastikhina
Cc: Steven Dougherty; Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

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Please stand with the LVPC and community and support the LVPC recommendation in this case.

Sincerely,
Steven Dougherty
Steven@StevenDougherty.com
480-430-6130 Cell
11222 S 39th LN
Laveen AZ 85339

CONFIDENTIALITY NOTICE - This e-mail transmission and any documents, files or previous e-mail messages attached to it may contain information that is confidential or legally privileged. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that you must not read or play this transmission and that any disclosure, copying, printing, distribution or use of any of the information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify the sender by telephone or return e-mail and delete the original transmission and its attachments without reading, forwarding, saving or re-distributing in any manner. The use or any action or reliance on the communication is strictly prohibited by the Electronic Communication Privacy Act, 18 U.S.C. 2510-2521.

Racelle Escolar

From: Nicole Glasgow <blue_eyes821@aol.com>
Sent: Wednesday, April 28, 2021 3:49 PM
To: Sofia Mastikhina; Racelle Escolar; Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,
Thomas Glasgow
3717 west Carver Rd
Laveen, Az 85339

Sofia Mastikhina

From: Eternal Sunshine <sunshine.eternal1111@gmail.com>
Sent: Wednesday, April 28, 2021 5:26 PM
To: Sofia Mastikhina
Subject: Subject: Case PUD Z-60-20-8 for May 6Planning Commission Hearing – Request to Support LVPC Recommendation

Attention Planning Commission Members:

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,
Tia Kaiia, resident

Sofia Mastikhina

From: Tiah Horn <tiah4bostons@gmail.com>
Sent: Wednesday, April 28, 2021 5:06 PM
To: Sofia Mastikhina; Racelle Escolar
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Tiah Bialik

Laveen, AZ

Sofia Mastikhina

From: David Baker <david@beinphoenix.com>
Sent: Thursday, April 29, 2021 7:45 AM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Best Regards
David Baker - homeowner
11908 S 41st Ave
Laveen Arizona 85339

David Baker
Keller Williams Realty Phoenix
Cell:602.373.6345
E-mail: david@beinPhoenix.com
Visit my websites at
http://www.PhoenixLaveenHomes.com [phoenixlaveenhomes.com]
http://www.LaveenRealEstate.co [laveenrealestate.co]
http://www.LaveenAz85339.com [laveenaz85339.com]
http://www.CasasLaveen.com [casaslaveen.com]
http://www.Laveenhomesforsale.net [laveenhomesforsale.net]

Sofia Mastikhina

From: Donna Snow <carart617@hotmail.com>
Sent: Thursday, April 29, 2021 8:47 AM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC; Donna Snow
Subject: Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Donna Snow
6806 W Desert Lane
Laveen, AZ 85339

Sofia Mastikhina

From: Jen Leitch <4jenleitch@gmail.com>
Sent: Wednesday, April 28, 2021 9:13 PM
To: Racelle Escolar; Sofia Mastikhina; Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Hello and Good Day,

I am writing about the above PUD which is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry.

Finally, I am pleased to say I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6.

As we've said from the beginning, we understand that this site will be developed and we are looking for a project that "fits" in our area. The LVPC has recognized that this site needs less density and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting. **We are so pleased that the LVPC has recognized the importance and value of our contributions.**

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Jen Leitch

10109 S. 29th Dr.

Sofia Mastikhina

From: Joan Howell <joan.ferguson14@outlook.com>
Sent: Thursday, April 29, 2021 10:52 AM
To: Sofia Mastikhina; Racelle Escolar
Cc: council.district8@phoenix.gov
Subject: Support- Quarry Case PUD Z-60-20-8

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Joan B Howell

1810 Palmcroft Dr NE

Phoenix AZ 85007

Sofia Mastikhina

From: Judy Brown <DT_Jbrown@q.com>
Sent: Thursday, April 29, 2021 9:45 AM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing - Request to Support LVPC Recommendation

Planning Commission Members,

The community is still engaged and ready to right a wrong…

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Kind regards,

Judy Brown
3220 W. Ceton Drive
Laveen, AZ 85339

Sofia Mastikhina

From: Ken D <tadcomanaz@gmail.com>
Sent: Thursday, April 29, 2021 6:57 AM
To: Council District 8 PCC; Racelle Escolar; Sofia Mastikhina
Subject: Fwd: FW: UPDATE & ACTION NEEDED - Quarry Case PUD Z-60-20-8

<Hangarhaciendas@gmail.com>

send to racelle.escolar@phoenix.gov and sofia.mastikhina@phoenix.gov and
CC council.district.8@phoenix.gov

Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

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Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Ken Diaz

2923 W. Avion Way

Laveen , Az. 85339

Attachments area



Done.

Will do.

Will do, thanks.

ReplyReply allForward

[drive.google.com]

[google.com] [google.com] [google.com]

--
Hangar Haciendas Homeowners Association
Laveen, AZ 85339

Sofia Mastikhina

From: Kristofic, Stephanie L. <Stephanie.Kristofic@va.gov>
Sent: Thursday, April 29, 2021 9:40 AM
To: Racelle Escolar; Sofia Mastikhina; Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Stephanie Kristofic RN, BSN, CDCES, CPT
10826 S 30th Ave
Laveen, Az 85339



Racelle Escolar

From: Robert Minard <rvminard@hotmail.com>
Sent: Thursday, April 29, 2021 3:31 PM
To: Racelle Escolar; Sofia Mastikhina; Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Vicki Minard
3107 W. Avion Way
Laveen, AZ 85339

Subject: FW: Case PUD-Z-60-20-8

From: Millie Strauss <milliestrauss@gmail.com>
Sent: Thursday, April 29, 2021 10:54 AM
To: Sofia Mastikhina <sofia.mastikhina@phoenix.gov>
Subject: Case PUD-Z-60-20-8

Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Mildred Strauss

3007 W. Ceton Dr.

Laveen, AZ 85339

Sofia Mastikhina

From: Mindy Erskine <regul8r2@aol.com>
Sent: Thursday, April 29, 2021 3:29 PM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC; Council District 7 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,
The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.
I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.
Please stand with the LVPC and community and support the LVPC recommendation in this case.
Best regards,
Mindy Erskine
12010 S 48th Dr Laveen AZ 85339

Sent from my iPhone

Sofia Mastikhina

From: Neal Haddad <neal.haddad@gmail.com>
Sent: Thursday, April 29, 2021 9:43 AM
To: Racelle Escolar
Cc: Sofia Mastikhina; Council District 8 PCC; Paul Barnes
Subject: COMMENT TO FILE: PUD Z 60 20 8

RE: PUD Z-60-20-8, 5.6.21 agenda
VIA EMAIL

Members of the Planning Commission:

Like many others in the Laveen community and across the city, we have taken an active interest in the subject case for years. As members know, Laveen is a unique area within the 519 sq. mi. that comprise the City of Phoenix. We believe the Laveen community's special attributes must be considered.

We support the recommendations passed by the Laveen Village Planning Committee (LVPC) earlier in the month. As neighbors believe, the LVPC addressed and resolved the structural issues of density and zoning, making this a much better development than previous applications for this site.

The plan that the LVPC passed:

- Includes a maximum of 46 lots total (which conforms to the plan put forth by the community)
- Rejects the high-density plan presented by the applicant
- Requires minimum lot size of 8700 sq. ft.
- Enhances building architecture and landscaping standards stipulations that result in compatible land use
- Provides density in the PUD equivalent to R1-18

Please stand with the LVPC and community: please support the LVPC recommendation in this case.

Respectfully,

B. Paul Barnes
Neal Haddad
Neighborhood Coalition of Greater Phoenix

Sofia Mastikhina

From: Robert Minard <rvminard@hotmail.com>
Sent: Thursday, April 29, 2021 3:33 PM
To: Racelle Escolar; Sofia Mastikhina; Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Robert Minard
3107 W. Avion Way
Laveen, AZ 85339

Sofia Mastikhina

From: Scott Johnson <sjohnson@scottjce.com>
Sent: Thursday, April 29, 2021 11:18 AM
To: Racelle Escolar; Sofia Mastikhina; Council District 8 PCC
Cc: 'Cyd Manning'
Subject: Quarry Case PUD Z-60-20-8 for May 6 Planning Commission Hearing - Request to Support LVPC Recommendation

Importance: High

Dear Planning Commission Members:

In addition to the comments below I would like to add the community's heartfelt thanks to the Laveen Village Planning Committee for adopting the very reasonable 46-lot maximum proposal that we have been proposing for this project.

As a reminder, had City staff enforced the zoning reversion stipulation from the 2007 case on this property in 2011 as they should have, the owner would currently be entitled to 20 lots on the subject 19+ acres.

The community proposed 46 lots is a 230% increase over that baseline number, while the current application proposes over 300% of the density they should rightfully be allowed. We feel that the community proposal which is reflected in the current LVPC recommendation is a very reasonable compromise as to density.

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Thank you for your time and consideration,

Scott Johnson

Scott Johnson
President
Hangar Haciendas HOA
602-320-2382
sjohnson@scottjce.com

Sofia Mastikhina

From: Tayler Bell <taylerbell691@yahoo.com>
Sent: Thursday, April 29, 2021 12:12 PM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

I'm writing in regards to the Carver Canyon case that will come before you during the May 6 Planning Commission Hearing. The proposed PUD is the second active zoning case for this site at the corner of 35th Ave and Carver Rd. You heard the PHO version of this case in the middle of last year and the outpouring of community opposition to high density development in this area. Now the applicant is repackaging their plan into a PUD proposal, I assume as a show of compromise with the community. But they still did not address the community's biggest concern, which is the incompatible density with the surrounding area.

Since the continuance of the PHO case last fall at the City Council meeting, the community and LVPC have provided input into the PUD process to create a superior site plan. Last month, the LVPC approved a recommendation for a PUD proposal that includes 46 lots total with a minimum lot size of 8700 sq. ft. This is equivalent to the R1-18 zoning that the community has offered as a compromise and satisfies our biggest concerns with the development of this property.

I ask that you please vote to approve and recommend the LVPC version of this PUD when you hear the case on May 6.

Thank you,

Tayler Burchard
11244 S 35th Ave
Laveen, AZ 85339

Sofia Mastikhina

From: BDM <ben.meyer3456@gmail.com>
Sent: Friday, April 30, 2021 9:13 PM
To: Sofia Mastikhina
Subject: Case PUD Z-60-20-8 for May 6 PCH – In support LVPC's recommendation

To whom it may concern,

In regards to PUD Z-60-20-8 (aka the applicant's way of trying to get around the similar PHO case that the community also doesn't agree with), I would support the LVPC recommendation of 46 lots, lower sq ft, and other architecture improvements. I live very close to this location and the amount of houses that the applicant wants to put here is way too many. The community doesn't want high density housing. We have a "country" feeling on this side of Carver Mountain and that will be taken away with the high density that was proposed. Please do not approve more than 46 lots.

Sincerely,

Ben Meyer
3535 W Bohl Street
Laveen

Sofia Mastikhina

From: peekayphx@aol.com
Sent: Friday, April 30, 2021 7:38 AM
To: Racelle Escolar; Sofia Mastikhina
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

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Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Cynthia Pepin
4601 W. Crivello Ave
Laveen AZ, 85339

Sofia Mastikhina

From: D in AZ <darcy3535@gmail.com>
Sent: Friday, April 30, 2021 8:45 PM
To: D M
Subject: Quarry Case PUD Z-60-20-8 NWC comment

Planning Commission Members,

On April 12th, the LVPC had recommended a max of 46 lots, min lot size of 8700 and other stipulations for the Quarry Case PUD Z-60-20-8 NWC. The neighbors do not want high density for this area so I urge you to also make the recommendation when you hear this case on May 6th.

The excessive building in Laveen is way beyond what it should be to the point that Laveen doesn't have the same charm anymore. Thus, I am asking you to protect us from high density in our area.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Darcy Meyer

3535 W Bohl St,

Laveen

Sofia Mastikhina

From: EMAIL TEAM <garyinlaveen@yahoo.com>
Sent: Friday, April 30, 2021 10:08 AM
To: Sofia Mastikhina
Subject: PUD Z-60-20-8

Hello,
please support the Laveen Planning Committee decision on Quarry Case PUD Z-60-20-8.
Sincerely,
Gary Jordan

Sofia Mastikhina

From: Irma Cazarez <irmacazarez@gmail.com>
Sent: Friday, April 30, 2021 11:44 AM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

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Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Irma Cazarez

3517 W Shawnee Dr.

Laveen, AZ 85339

CITY OF PHOENIX
APR 30 2021
Planning & Development Department

28 April, 2021

JON S. KIMOTO 氣
Architect
RTE. 1 BOX 514E LAVEEN ARIZONA 85339

To: Planning Commission, City of Phoenix
200 W. Washington Street, 3rd Floor
Phoenix, AZ 85003-1611

Through: Racelle Escolar

Re: Z-60-20-8 CARVER CANYON P.U.D.
35TH AVE & CARVER RD · NWC - LAVEEN

For the second time in 10-months, the Planning commission has a tremendous opportunity to review a marginal residential development (previous PHO case) and transform it into a much improved P.U.D. proposal.

With this common purpose in mind, the Laveen Village Planning Committee members along with community residents have diligently worked with VIRTUA 35 over the past year to affectuate a higher quality project. Some positive highlights include:

- Upgraded site enhancements for building pads, drainage-ways, open space quantity and variety;
- Quality architectural design options and landscaping; with enhanced perimeter fence walls;
- Improved asthetic treatment to "soften" the vertical escarpment cut.

Most decisive of the quality elements recommended by the LVPC is the lot reduction from 61 to 46 lots, and having a minimum of 8700 square feet. This is a compatible match with the existing adjacent R1-18 zoning and will better preserve Laveens' rural, agricultural character surrounding Carver foothills.

Please support the CARVER CANYON P.U.D as recommended by the LAVEEN VILLAGE PLANNING COMMITTEE and community members when you consider this case on May 6th

Best regards, Jon Kimoto

3216 W. Ansell Rd. Laveen, AZ 85339 (602) 237 3138

Sofia Mastikhina

From: Orlando Cazarez <orlando.cazarez@gmail.com>
Sent: Friday, April 30, 2021 12:23 PM
To: Council District 8 PCC; Sofia Mastikhina; Racelle Escolar
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high-density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture, and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Orlando Cazarez

3517 W Shawnee Dr.

Laveen, AZ 85339

Sofia Mastikhina

From: Paul Franckowiak <paul.franckowiak@outlook.com>
Sent: Friday, April 30, 2021 8:52 AM
To: Sofia Mastikhina
Subject: Support for LVPC recommendations on 35th and Carver

Ms. Mastikhina-

Regarding Case PUD Z-60-20-8 for the May 6 Planning Commission Hearing:

I hope you will adopt the Laveen planning commission's recommendations in this case.

We have attended a bunch of meetings and voiced opposition to high density development at 35th and Carver for several years now. This is probably the tenth letter I have written on this subject to either the city council or the planning commission.

Please don't just count our current round of letters when determining the case. Please count the letters you have received about the development of this parcel in sum over the course of this dispute. Also, please consider our community's hours spent at dull meetings having to object to high density development on that exact piece of land. We are not paid to attend those meetings, yet we are required to attend if we want to oppose high density development in our area.

You know the history of zoning on that parcel. We have spent a lot of time trying to keep someone from taking advantage of an oversight by the city (During Mayor Gordon's time).

Why even have these meetings if opposition such as ours cannot change things? Don't think that people just want to be heard and then told how it is going to be. That is being managed, not listened to. We want you to listen our community and honor our time and effort by approving the recommendation of the LVPC on this case.

You stopped a cannabis dispensary from opening in District 3 just a few weeks ago because of community opposition. We are not asking for you to do the unprecedented, we are just asking you to do the right thing from a community perspective.

Paul Franckowiak
10019 S. 29th drive
Laveen Az 85339

Sofia Mastikhina

From: Dan Downs <dannyboyphx69@gmail.com>
Sent: Saturday, May 1, 2021 11:34 AM
To: Racelle Escolar; Sofia Mastikhina; Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Respectfully.

Daniel Downs
10623 S 34th Ave
Laveen, AZ 85339

Sofia Mastikhina

From: Amy Weibel, Ph.D. <acweibel@msn.com>
Sent: Sunday, May 2, 2021 2:49 PM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

--Amy--

DNA*DNA*DNA*DNA
Amy C. Weibel, Ph.D.
Cell: (602) 373-6344
acweibel@msn.com
DNA*DNA*DNA*DNA

"Somewhere, something incredible is waiting to be known." – Carl Sagan [goodreads.com]
"How wonderful it is that nobody need wait a single moment before starting to improve the world." - Anne Frank (1929-1945)

For exceptional professional real estate services - visit us at www.PhoenixLaveenHomes.com [phoenixlaveenhomes.com].

Sofia Mastikhina

From: Bernadette Buehlmann <bernadettebuehlmann@gmail.com>
Sent: Sunday, May 2, 2021 2:18 PM
To: Sofia Mastikhina
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing - Request to Support LVPC Recommendation

Hello

Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Bernadette Buehlmann
3026 W Ceton Dr
Laveen, AZ 85339

Sofia Mastikhina

From: Bryan Peltzer <bpeltzer@pgg-eng.com>
Sent: Sunday, May 2, 2021 9:26 PM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

The applicant's desire to have the property rezoned to a density that meets their investment objectives is wholly unacceptable and would be completely incompatible with the surrounding neighborhood (the area between Carver and South Mountains). This ordeal has drug on for several years, with the applicant biding their time in an attempt to outlast members of the community. With each day that passes, the need to put an end to the stalemate has come.

While the LVPC recommendation falls short of what was agreed to by the City Council under s deal brokered by then Mayor Phil Gordon, I would begrudgingly accept their recommendation and request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Bryan Peltzer
3725 W. Fox Rd.
Laveen, AZ

Sofia Mastikhina

From: Dan Penton <dpenton85339@gmail.com>
Sent: Sunday, May 2, 2021 2:13 PM
To: Racelle Escolar; Sofia Mastikhina
Cc: council.district8@phoenix.gov; Council.district7@phoenix.gov
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation
Attachments: Z-60-20-8_LV.DOC

Planning Commission Members,

My name is Daniel Penton , and I reside at 8216 S 42nd Ave, Laveen Village, AZ 85339. Thank you for the opportunity to submit my comments to the record regarding Case # Z-60-20-8

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

DAN PENTON

8216 S 42ND AVE

Laveen, AZ 85339

Sofia Mastikhina

From: Ol' West <davidinlaveen@gmail.com>
Sent: Sunday, May 2, 2021 7:46 PM
To: PDD Planning Commission; Racelle Escolar; Council District 8 PCC; Sofia Mastikhina
Subject: Quarry Case PUD Z-60-20-8 NWC comment

I support this case **as recommended by the Laveen Village Planning Committee.**

Planning Commission Members,

On April 12th, the LVPC had recommended a max of 46 lots, min lot size of 8700 and other stipulations for the Quarry Case PUD Z-60-20-8 NWC. The neighbors do not want high density for this area so I urge you to also make the recommendation when you hear this case on May 6th.

The excessive building in Laveen is way beyond what it should be to the point that Laveen doesn't have the same charm anymore. Thus, I am asking you to protect us from high density in our area.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

David Meyer

3535 W Bohl St,

Laveen, AZ

Sofia Mastikhina

From: Donna Schober <donna.schober@gmail.com>
Sent: Sunday, May 2, 2021 8:48 PM
To: Sofia Mastikhina; Racelle Escolar; Council District 8 PCC
Subject: Case PUD Z-60-20-8

Dear Planning Commission Members,

My husband and I have lived in Laveen for more than 20 years. We are very concerned about the proposed development in PUD Z-60-20-8. This is the second zoning case at the NorthWest corner of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO development version in the middle of last year. There was strong opposition from the entire community to the proposed high density and incompatible land use in this special area of Laveen.

Council Member Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting. He requested that the applicant process a "down-zoning". Since that time, the applicant has pursued the PUD case before you on May 6. The Laveen Village Planning Committee (LVPC) and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

We support the LVPC recommendation and we respectfully request that the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case proposed. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community as opposed to the high density plan the applicant presented), minimum lot size use and is equivalent to R1-18 density. Council Member Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO cse last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case. We are all working toward the goal of sound, sensible development in this area of Laveen. Please help us with that.

Sincerely,

Donna J. Schober and Marvin A. Sondag
10840 S. 30th Ave
Laveen, AZ 85339

Sofia Mastikhina

From: Elizabeth Banta <ebanta3938@gmail.com>
Sent: Sunday, May 2, 2021 6:28 PM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Dear Planning Commission Members,

I have lived for 46 years in the City of Phoenix, including 12 years in the Carver Foothills area. The first time I drove over the foothills by 35th Avenue next to the quarry, I sensed the very unique nature of this community, which taps into both the beauty of South Mountain and the Carver Foothills, and features large lots and solitude. I realize how lucky I am to live in such a rare location in our Valley. Preserving these attributes not only will be good for all who live in the area nestled between South Mountain and Carver Foothills, but it will be good for the City of Phoenix as as whole to retain variety in its neighborhoods.

Case PUD Z-60-20-8 is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. The Planning Commission heard the PHO version of this case mid-last year. Our community is strongly opposed to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I urge the Planning Commission to recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

I implore you to join with the LVPC and community by supporting the Laveen Village Planning Committee's recommendation in this case. with no higher density than 46 lots total. You may contact me at this email, or 480-353-6019 for any questions you may have. Thank you.

Sincerely,

Elizabeth Banta

3938 W Kayenta Trail

Laveen, AZ 85339

Sofia Mastikhina

From: Gina Abbott <abbogina0@gmail.com>
Sent: Sunday, May 2, 2021 8:47 PM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing-Request to Support LVPC Recommendation

Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

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I personally bought land out here and then just last year just constructed a house on this property. It is a little over 1 acre and one acre is what the limit was that someone had to have in order to build a house in this area. I love the rural setting and that's why I bought out here and that's why I wanted to build my house out here and I plan on living here when I retire. If we let this PUD have their way, I fear that others will follow and it will no longer be the quiet, peaceful place that we all love!

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Regina Abbott

3832 West Fox Road

Laveen AZ 85339

Racelle Escolar

From: Ines Hughes <ines.hughes@googlemail.com>
Sent: Sunday, May 2, 2021 11:28 AM
To: Sofia Mastikhina; Council District 8 PCC; Racelle Escolar
Subject: Fwd: Quarry Case PUD Z-60-20-8

Dear Planning Commission Members,

I am a resident of the Carver Valley area of Laveen, which is one of the few rural areas that are left in Laveen. It sits in the vicinity of the development item "Quarry Case PUD Z-60-20-8". As neighbors in concert, we have deliberated, voiced our concerns, and came to consensus with the developer in this case and the Laveen Village Planning Committee (LVPC). I urge the Commissioners to adopt the proposed recommendations from the LVPC as they reflect the vision of both us neighbors and the fruits of negotiation with the current property owner and their representatives.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Thank you.
Best regards,

Ines Hughes
4206 W Carver Rd
Laveen, AZ - 85339

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Anything is good if it is made of chocolate.

Knowledge is knowing that a tomato is a fruit;
Wisdom is not putting it in a fruit salad.
Philosophy is wondering if a Bloody Mary counts as a smoothy.

Subject: FW: Quarry Case PUD Z-60-20-8

From: James Hughes <perldude69@gmail.com>
Sent: Sunday, May 2, 2021 10:52 AM
To: Sofia Mastikhina <sofia.mastikhina@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>
Cc: Ines Hughes <ines.hughes@gmail.com>
Subject: Quarry Case PUD Z-60-20-8

Hello Planning Commission Members,

I am a resident of the Carver Valley area of Laveen, which sits in the vicinity of the development item "Quarry Case PUD Z-60-20-8". As neighbors in concert, we have deliberated, voiced our concerns, and came to consensus with the developer in this case and the Laveen Village Planning Committee (LVPC). I urge the Commissioners to adopt the proposed recommendations from the LVPC as they reflect the vision of both us neighbors and the fruits of negotiation with the current property owner and their representatives.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation. Please stand with the LVPC and community and support the LVPC recommendation in this case.

Thank you,
James Hughes
4206 W Carver Rd
Laveen, AZ - 85339

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Cooking is just the art of finding new and interesting ways to ingest more olive oil.....

Sofia Mastikhina

From: Val Marquez <adalinered@gmail.com>
Sent: Sunday, May 2, 2021 11:53 AM
To: Racelle Escolar
Cc: Sofia Mastikhina; Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high-density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture, and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Kathryn Marquez

11424 S. 35th Ave

Laveen, AZ 85339

Sofia Mastikhina

From: Paul Banta <pwbantaz@gmail.com>
Sent: Sunday, May 2, 2021 8:00 PM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8

Dear Sirs:

I live at 3938 W Kayenta Trail, Laveen Village, AZ 85339. I would like to register my SUPPORT of the Laveen Planning Committee recommendation that this property development be limited to 46 homes. There was a lot of information presented by the developer at this meeting, but the contentious issue is that they want to build 61 houses.

This proposed development is located in a narrow valley along Carver Road. There is no high density housing in this valley. The standard for this area is no more than 1 house per acre. There are many houses set on multiple acres.

I understand that this property is zoned for high density housing. This is the result of an action taken about 15 years ago by the city; against the wishes of the local community. High density was wrong for this location then and is wrong now.

There is lots of high density housing being built within a couple of miles of this property for people who want this lifestyle. The ONLY rationale for allowing higher density is so that the developers can make MORE money.

The local community leaders have proposed an alternate plan with 46 houses on this site. This is higher density than any other local property. I think that is a pretty good compromise. REMEMBER, this case will set a precedent for this whole area. If a plan with more than 46 houses is approved there will really be no way to prevent other properties in this area from being rezoned for higher density.

PLEASE SUPPORT a plan that limits the number of homes to 46.

Paul Banta
480 353 6014

Subject: FW: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing-Request to Support LVPC Recommendation

From: Gina Abbott <abbogina0@gmail.com>
Sent: Sunday, May 2, 2021 8:47 PM
To: Racelle Escolar <racelle.escolar@phoenix.gov>; Sofia Mastikhina <sofia.mastikhina@phoenix.gov>
Cc: Council District 8 PCC <council.district.8@phoenix.gov>
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing-Request to Support LVPC Recommendation

Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

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I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

I personally bought land out here and then just last year just constructed a house on this property. It is a little over 1 acre and one acre is what the limit was that someone had to have in order to build a house in this area. I love the rural setting and that's why I bought out here and that's why I wanted to build my house out here and I plan on living here when I retire. If we let this PUD have their way, I fear that others will follow and it will no longer be the quiet, peaceful place that we all love!

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Regina Abbott

3832 West Fox Road

Laveen AZ 85339

Subject: FW: Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

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From: Rochelle Peltzer <rochellepeltzer@gmail.com>
Sent: Sunday, May 2, 2021 9:37 PM
To: Racelle Escolar <racelle.escolar@phoenix.gov>; Sofia Mastikhina <sofia.mastikhina@phoenix.gov>
Cc: Council District 8 PCC <council.district.8@phoenix.gov>
Subject: Re: Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

The applicant's desire to have the property rezoned to a density that meets their investment objectives is wholly unacceptable and would be completely incompatible with the surrounding neighborhood (the area between Carver and South Mountains). This ordeal has drug on for several years, with the applicant biding their time in an attempt to outlast members of the community. With each day that passes, the need to put an end to the stalemate has come.

While the LVPC recommendation falls short of what was agreed to by the City Council under s deal brokered by then Mayor Phil Gordon, I would begrudgingly accept their recommendation and request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Rochelle Peltzer
3725 W. Fox Rd.
Laveen, AZ

Sofia Mastikhina

From: Ruth Franklin <ruthie_franklin@yahoo.com>
Sent: Sunday, May 2, 2021 10:28 AM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Dear Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,
Ruth Franklin
3143 W Avion Way
Laveen, AZ 85339

Racelle Escolar

From: ruth kennedy-iwai <ruthanniwai@yahoo.com>
Sent: Sunday, May 2, 2021 10:35 PM
To: Racelle Escolar; Sofia Mastikhina; Council District 8 PCC
Subject: Case PUD Z-60-20-8zoning". Since that time the applicant has pursued the subject PUD case that you will hear on for May 6 Planning Commission Hearing-Request to Support LVPC Redommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council and requested the applicant process a "down-zoning." Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total [which conforms to the plan put forth by the community as opposed to the high density plan the applicant presented] minimum lot size of 8700 sq.ft. enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46 lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.
.
Please stand with the LVPC and the community and support the LVPC recommendation in this case.

Best Regards,

Ruth Kennedy-Iwai
3412 W. Ansell Rd.

P.S.

I am submitting the letter composed by our much loved and respected community group, who have worked tirelessly to preserve our unique area from irresponsible and incompatible development. I agree totally with both their sentiments and arguments regarding the Quarry case. Since I couldn't say it any better I am sending you their words. Again, however, I repeat that I support the LVPC recommendation and hope as our elected representatives you will as well. I have lived in Laveen for over 40 years enjoying mountains and peaceful desert. We have little enough left in our urban sprawl. Keep some places to renew our souls.
RKI

Sofia Mastikhina

From: Amy Luley <amyluley@gmail.com>
Sent: Monday, May 3, 2021 3:40 PM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Amy Luley
4030 W Carver Road
Laveen, AZ 85339

510.508.9598
amyluley@gmail.com

Sofia Mastikhina

From: Chris <chris@candssweeping.com>
Sent: Monday, May 3, 2021 1:32 PM
To: Sofia Mastikhina
Subject: Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Sincerely,,

Christine Danielson
2943 W. Ceton Dr.
Laveen, AZ 85339

Sofia Mastikhina

From: Stilgar the Freeman <clluley@gmail.com>
Sent: Monday, May 3, 2021 3:18 PM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Christopher Lee Luley

(aka Stilgar the Freeman)

4030 West Carver Road

Laveen, Arizona [85339]

clluley@gmail.com

Sofia Mastikhina

From: Darren Kristofic <dlkristofic@gmail.com>
Sent: Monday, May 3, 2021 7:01 PM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Darren Kristofic

10826 S 30th Ave

Laveen AZ 85339

Sofia Mastikhina

From: Diane Leos <diane_leos@yahoo.com>
Sent: Monday, May 3, 2021 11:42 AM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Property on 35th Ave and Carver Road

As a member of the Laveen community who will be personally impacted by the proposed development on the property located at 35th Ave. and Carver Rd (also known as the the “Quarry” I am in support of and urge the acceptance of the proposal submitted by the LVPC.
Diane Leos
4327 W. Calle Poco
Laveen, AZ 85339

Sent from my iPad

Sofia Mastikhina

From: DONNA SILBER <adjsil@msn.com>
Sent: Monday, May 3, 2021 8:03 PM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing - Request to Support LVPD Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,
Donna Silber
11619 S. 39th Avenue Laveen

Sofia Mastikhina

From: 2017 Camaro <lvializ@cox.net>
Sent: Monday, May 3, 2021 9:22 AM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of both density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), with a minimum lot size of 8700 sq. ft. which results in compatible land use and is equivalent to R1-18 density, along with enhanced building architecture and landscaping standards stipulations. Again..a far superior plan to that of the PHO Case. Important to note is that Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

My wife and I found Laveen by chance through a friend and once we saw it, we fell in love with the area. It is close to downtown yet maintains a rural feel with wide open spaces. We love it out here so much that not only do we have a home over on 51st and Dobbins, but we also purchased 3 acres of land to build a custom home. Folks are drawn to Laveen for the breathing room…Laveen has a well thought out General Plan for a reason and thus has something for everyone. ..let's stick to the Plan and not get wrapped up in politics or pressure from investors/developers.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Ivan Vializ

8921 S. 53rd Dr.

Laveen, AZ 85339

AND

3200 W Ceton Dr.

Laveen, AZ 85339

Sofia Mastikhina

From: Jane Craig <eddibtyboop@hotmail.com>
Sent: Monday, May 3, 2021 7:49 AM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing - Request to Support LVPC April 12th Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

We are always placed at the end of the "Agenda" and through all these years (2008-2021) and meetings I've attended, I truly have a respect for your positions and the long days you put in as Planning Commission Members. It has been a very difficult 14 months not being able to meet in person, you hear our voices but you truly do not "see" **US**—you get to deal with **US** through a computer; those who choose not to speak into their computer would probably speak in person! Please take that into consideration as well, as I feel you should represent **US** too!

Sincerely,

Jane Craig
2905 W Ceton Drive
Laveen, AZ 85339-1744

Sent from Mail [go.microsoft.com] for Windows 10

Racelle Escolar

From: Kyle Bronson <bronson.groen@me.com>
Sent: Monday, May 3, 2021 4:19 PM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Thank you,

Jason Groen
4034 W Carver Rd
Laveen, AZ 85339

Sofia Mastikhina

From: Jen <2jsilber@gmail.com>
Sent: Monday, May 3, 2021 6:10 PM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high-density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture, and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,
Jennifer Silber
3821 W. Calle Poco
Laveen, AZ 85339

Sent from my iPhone

Racelle Escolar

From: JK Bronson-Groen <bronson-groen@hotmail.com>
Sent: Monday, May 3, 2021 4:17 PM
To: Racelle Escolar; Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Thank you,

Kyle Bronson
4034 W Carver Rd
Laveen, AZ 85339

Racelle Escolar

From: Linda Santellanes <aaa.sii.corp@gmail.com>
Sent: Monday, May 3, 2021 10:59 PM
To: Racelle Escolar; Council District 8 PCC
Subject: Case PUD Z-60-20-8

Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

I support this case as recommended by the Laveen Village Planning Committee and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Linda Santellanes

11224 South 35th Ave Laveen

Rcvd 5/3/2021

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation, and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Lisa K. Pike

4824 West Estrella Drive

Laveen, Arizona 85339

Racelle Escolar

From: Michael Craig <mcraig1947@hotmail.com>
Sent: Monday, May 3, 2021 10:22 AM
To: Racelle Escolar; sophia.mastikhina@phoenix.gov
Cc: council.distrit.8@phoenix.gov
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing - Request to Support LVPC April 12th Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Michael Craig
2905 W. Ceton Drive
Laveen, AZ 85339-1744
Sent from Mail [go.microsoft.com] for Windows 10

Sofia Mastikhina

From: nancy harris <nharris526@yahoo.com>
Sent: Monday, May 3, 2021 9:28 AM
To: Sofia Mastikhina
Subject: The Quarry at 35th Ave in K=Laveen

I support the LVPC recommendations for the Quarry in Laveen and ask you to support them too, as the right yhing to do. Thank you. Nancy Harris....2910 W Ceton Drive...Laveen

Sofia Mastikhina

From: Naoma Holmes <Naoma.Holmes@live.com>
Sent: Monday, May 3, 2021 10:16 AM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Naoma Holmes
10909 S. 29th Avenue
Laveen, AZ 85339

Sent from Mail [go.microsoft.com] for Windows 10

Subject: FW: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing - Request to Support LVPC Recommendation

From: Peter Buehlmann <peterbuehlmann2007@gmail.com>
Sent: Monday, May 3, 2021 10:20 AM
To: Racelle Escolar <racelle.escolar@phoenix.gov>
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing - Request to Support LVPC Recommendation

Hello

Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Peter Buehlmann

3026 W Ceton Dr
Laveen AZ 85339

Sofia Mastikhina

From: Holmes, Randy L <randy.l.holmes@intel.com>
Sent: Monday, May 3, 2021 7:50 AM
To: Council District 8 PCC; Racelle Escolar; Sofia Mastikhina
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Randy Holmes
10909 S. 29th Ave
Laveen AZ 85339

Randy L. Holmes
Global Security Technologies Manager
Intel Corporation
(480) 715-3490 - Work
(480) 619-1136 – Cell

Sofia Mastikhina

From: Randy Jen SILBER <silbercom@msn.com>
Sent: Monday, May 3, 2021 6:01 PM
To: Sofia Mastikhina; Racelle Escolar
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high-density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture, and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,
Randy Silber
3821 W. Calle Poco
Laveen, AZ 85339

Racelle Escolar

From: Ron Opatril <ron@rockharddesigns.net>
Sent: Monday, May 3, 2021 10:09 AM
To: Council District 8 PCC
Cc: Racelle Escolar
Subject: Fwd: REMINDER: UPDATE & ACTION NEEDED - Quarry Case PUD Z-60-20-8

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case. Stay true to the original plan for Laveen, it is the reason most of us live there.

Thank you in advance for your help!

Best regards,

Ron Opatril

3131 West Avion Way

Laveen, AZ 85339

Sofia Mastikhina

From: scott daniels <azscott.j.daniels@gmail.com>
Sent: Monday, May 3, 2021 9:23 PM
To: Sofia Mastikhina; Racelle Escolar; Council District 8 PCC
Subject: Case PUD Z-60-20-8

Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

I support this case as recommended by the Laveen Village Planning Committee and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Scott Daniels

11224 South 35th Ave Laveen

Sofia Mastikhina

From: Chris <chris@candssweeping.com>
Sent: Monday, May 3, 2021 10:37 PM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Steven Danielson
2943 W. Ceton Drive
Laveen, AZ 85339

Sofia Mastikhina

From: Charla Fogle <charla-f@hotmail.com>
Sent: Tuesday, May 4, 2021 10:56 AM
To: Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Dear Sofia and Planning Commission Members,

I'm reaching out regarding the above referenced PUD case, the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued PUD Z-60-20-8 that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

As a resident in the area, I support the LVPC recommendation, and respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,
Charla Fogle
3303 W McNeil Street
Laveen, AZ 85339

Racelle Escolar

From: Heather Lott <hlott1@gmail.com>
Sent: Tuesday, May 4, 2021 2:07 PM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Heather Lott

11610 S. 43rd Ave
Laveen, AZ 85339
...

Sofia Mastikhina

From: Jo Ann Valenta <jovalenta@gmail.com>
Sent: Tuesday, May 4, 2021 7:39 AM
To: Racelle Escolar; Sofia Mastikhina; Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

JoAnn Valenta

3224 W Carver Rd

Laveen, AZ 85339

Sofia Mastikhina

From: Kitty A <thesanctuarysouthmountain@gmail.com>
Sent: Tuesday, May 4, 2021 8:17 AM
To: Sofia Mastikhina
Subject: Fwd: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Follow Up Flag: Follow up
Flag Status: Flagged

Sent from my iPad

Begin forwarded message:

> **From:** Kitty A <thesanctuarysouthmountain@gmail.com>
> **Date:** May 4, 2021 at 8:13:26 AM MST
> **To:** racelle.escolar@phoenix.gov, sofia.mastikhina@phonix.gov, council.district.8@phoenix.gov
> **Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation**
>
> Sent from my iPad
>
> The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.
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> I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Kitty Adlington

3224 W Carver Rd

Laveen, AZ 85339

Sofia Mastikhina

From: Mark Fogle <mrfxd45@gmail.com>
Sent: Tuesday, May 4, 2021 11:21 AM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Mark R Fogle
3303 W McNeil St
Laveen, AZ 85339

Racelle Escolar

From: Heather Lott <hlott1@gmail.com>
Sent: Tuesday, May 4, 2021 2:09 PM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Michael Lott

11610 S. 43rd Ave

Laveen, AZ 85339

Sofia Mastikhina

From: Steven Dougherty <steven@stevendougherty.com>
Sent: Tuesday, May 4, 2021 12:17 AM
To: Racelle Escolar; Sofia Mastikhina
Cc: Steven Dougherty; Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Sincerely,
Steven Dougherty
Steven@StevenDougherty.com
11222 S 39th Ln
Laveen AZ 85339

CONFIDENTIALITY NOTICE - This e-mail transmission and any documents, files or previous e-mail messages attached to it may contain information that is confidential or legally privileged. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that you must not read or play this transmission and that any disclosure, copying, printing, distribution or use of any of the information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify the sender by telephone or return e-mail and delete the original transmission and its attachments without reading, forwarding, saving or re-distributing in any manner. The use or any action or reliance on the communication is strictly prohibited by the Electronic Communication Privacy Act, 18 U.S.C. 2510-2521.

Sofia Mastikhina

From: C Gunderson <carrsgun@gmail.com>
Sent: Wednesday, May 5, 2021 1:22 PM
To: recelle.escolar@phoenix.gov; Sofia Mastikhina; Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Carolyn Gunderson

3514 W Cheyenne Dr.

Laveen, AZ 85339

Racelle Escolar

From: Bernadette Buehlmann <bernadettebuehlmann@gmail.com>
Sent: Wednesday, May 5, 2021 1:45 PM
To: Sofia Mastikhina; Racelle Escolar; Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing - Request to Support LVPC Recommendation

Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Roxanne Screptock
3108 W. Ceton Drive
Laveen, AZ 85339

Roxanne was unable to submit this on her own and gave me permission to do it for her.
(Bernadette Buehlmann)

Racelle Escolar

From: Bernadette Buehlmann <bernadettebuehlmann@gmail.com>
Sent: Wednesday, May 5, 2021 1:49 PM
To: Racelle Escolar; Sofia Mastikhina; Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing - Request to Support LVPC Recommendation

Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Joe Sturt
3108 W. Ceton Drive
Laveen, AZ 85339

Joe was unable to submit this on his own and gave me permission to do it for him.
(Bernadette Buehlmann)

Racelle Escolar

From: D in AZ <darcy3535@gmail.com>
Sent: Sunday, May 2, 2021 7:23 PM
To: PDD Planning Commission
Subject: Quarry Case PUD Z-60-20-8 NWC comment/Item #16

Item #16 On April 12th, Quarry Case PUD Z-60-20-8 NWC:

Planning Commission Members,

I am in opposition of the applicant's 61+ high density plan to put in our community. The excessive building in Laveen is way beyond what it should be to the point that Laveen doesn't have the same charm anymore. Thus, I am urging you to protect us from this high density in our area. It means the world to the residents that live north and south of Carver Rd to keep the rural and peaceful setting that we currently have.

On April 12th, the LVPC had recommended a max of 46 lots, min lot size of 8700 and other stipulations for the Quarry case. If this is brought up as fact, I would ask that you stand with the LVPC and community and support the LVPC recommendation in this case.

Otherwise, if this is not taken into consideration, this PUD case needs to be denied.

Respectfully,

Darcy Meyer

3535 W Bohl St,

Laveen

Racelle Escolar

From: Margaret Anderson <mhanderson007@gmail.com>
Sent: Thursday, May 6, 2021 9:30 AM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Margarete Anderson
2010 W Olney Ave
Phoenix AZ 85041

Racelle Escolar

From: Margarete Anderson <mha406@comcast.net>
Sent: Thursday, May 6, 2021 9:32 AM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

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Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Tiffany Beyer
2010 W Olney Ave
Phoenix AZ 85041

Racelle Escolar

From: Margarete Anderson <mha406@comcast.net>
Sent: Thursday, May 6, 2021 9:33 AM
To: Sofia Mastikhina; Racelle Escolar
Cc: Council District 8 PCC
Subject: Fwd: Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Vanessa Anderson
2010 W Olney Ave
Phoenix AZ 85041

Racelle Escolar

From: Margarete Anderson <mha406@comcast.net>
Sent: Thursday, May 6, 2021 9:34 AM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Joe Anderson
2010 W Olney Ave
Phoenix AZ 85041

Racelle Escolar

From: sbarbara74@aol.com
Sent: Thursday, May 6, 2021 1:12 PM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Case PUD Z-60-20-8 for May 6 Planning Commission Hearing - Request to Support LVPC April 12th Recommendation

Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

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Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,

Barbara J. Sherman
1731 W. Steinway Drive
Phoenix, AZ 85041

Attachment H

Sofia Mastikhina

From: Vializ, Lisa <Lisa.Vializ@Honeywell.com>
Sent: Monday, April 12, 2021 10:42 AM
To: Sofia Mastikhina
Subject: Letter of Opposition - PUD Case Z-60-20-8, April 12 LVPC, Agenda Item 5

Importance: High

Hi Sofia,
Please forward this email to the LVPC members and include it in the case file for Z-60-20-8. 'See you tonight 😊'!

Thank you !
Lisa Vializ

****

Laveen Village Planning Committee Members,

PUD Z-60-20-8 is a **second and separate case** at the NWC of 35th Avenue and Carver Road, known as the Quarry/Carver Mountain. You, this Village, were supportive of the community and early last year were rightly unanimous in your denial of the PHO version of this case, PHO-1-19-Z-165-06-7(8). Do not let your unanimity or support of the community wane. At the April 12 LVPC meeting, I respectfully request the LVPC unanimously reject this case and instead recommend approval of the community proposal for 46 lots and a conventional R1-18 zoning district.

The applicant likes to use the Laveen Southwest Growth Study in their narrative but fails to include the part stating" *the 0-1 designation was placed on properties adjacent to the Carver Foothills and South Mountain Park. The latter parcels are appropriate for low density development due to the topography of slopes and washes and the desert vegetation. The majority of the 0-2 property is to serve as a buffer between existing lower density lots and new subdivisions with the more standard 2-5 du/a.".*

ALL the adjacent and nearby parcels, including the applicant's 40-acre site and the community R1-18 proposal are 0-2 du/a. The issue is and always has been about density and zoning. Laveen lacks diversity of large lots and this is the area for them! The area south of Carver Foothills is special and deserves so much better. A few of the many reasons to deny this PUD as filed are:

- The number of lots and the density is still too high.
- The proposed 61 lots at 3+ du/a is still completely incompatible with the area.
- This plan is not a reduction in zoning (aka: down-zoning). It is simply a repackaging of the previous inferior site plan from case PHO-1-19-Z-165-06-7/8.
- The applicant continues to ignore the community and our proposal of 46 lots at R1-18 zoning, which is compatible with the area, and is an executable site plan with conforming stipulations.
- The proposed conventional flat-land site plan does not work with the elevations and contours of the site.
- The applicant has not provided adequate open space or landscaping buffers.
- The PUD may look good on paper, but too many things are open-ended in the application/narrative that states the applicant MAY vs. SHALL or WILL. The stipulations in the PHO case are more stringent than the PUD.
- A PUD in general does not provide specific details or requirements of what will be built. This blank check or "framework of development standards" is inferior to a conventional zoning case and is not in the best interest of the neighborhood or broader Laveen Village. This special area of Laveen deserves a far superior and compatible plan than anything this applicant has proposed over the course of a year.

- A PUD sets a bad precedence for this area and surround undeveloped land.

This PUD case is no significant improvement (it is a watered down version) over the PHO case. The applicant is running both cases in parallel to mask the structural and real issues of density and zoning and to “see what sticks”.

Density and zoning are extremely important and is why the large opposition exists to this day. As you can see from the below recent photo, immediate neighbors, community leaders and others across Laveen are united and still against high density in this area.



Please support the community! Again, deny this case as filed and instead recommend approval of the community proposal for 46 lots and a conventional R1-18 zoning district.

Best regards,

Lisa Vializ
8921 S 53rd Dr.
Laveen, AZ 85339
602-741-5722
belairdream57@me.com

Sofia Mastikhina

From: 2017 Camaro <lvializ@cox.net>
Sent: Monday, April 12, 2021 11:07 AM
To: Sofia Mastikhina
Subject: Letter of Opposition - PUD Case Z-60-20-8, April 12 LVPC, Agenda Item 5

Good Morning Sofia

Please forward this email to the LVPC members and include it in the case file for Z-60-20-8 for tonight's meeting.

Thank you !

Ivan Vializ

****

Laveen Village Planning Committee Members,

PUD Z-60-20-8 is a **second and separate case** at the NWC of 35th Avenue and Carver Road, known as the Quarry/Carver Mountain. You, this Village, were supportive of the community and early last year were rightly unanimous in your denial of the PHO version of this case, PHO-1-19-Z-165-06-7(8). Do not let your unanimity or support of the community wane. At the April 12 LVPC meeting, I respectfully request the LVPC unanimously reject this case and instead recommend approval of the community proposal for 46 lots and a conventional R1-18 zoning district.

The applicant likes to use the Laveen Southwest Growth Study in their narrative but fails to include the part stating" *the 0-1 designation was placed on properties adjacent to the Carver Foothills and South Mountain Park. The latter parcels are appropriate for low density development due to the topography of slopes and washes and the desert vegetation. The majority of the 0-2 property is to serve as a buffer between existing lower density lots and new subdivisions with the more standard 2-5 du/a.".*

ALL the adjacent and nearby parcels, including the applicant's 40-acre site and the community R1-18 proposal are 0-2 du/a. The issue is and always has been about density and zoning. Laveen lacks

diversity of large lots and this is the area for them! The area south of Carver Foothills is special and deserves so much better. A few of the many reasons to deny this PUD as filed are:

- The number of lots and the density is still too high.
- The proposed 61 lots at 3+ du/a is still completely incompatible with the area.
- This plan is not a reduction in zoning (aka: down-zoning). It is simply a repackaging of the previous inferior site plan from case PHO-1-19-Z-165-06-7/8.
- The applicant continues to ignore the community and our proposal of 46 lots at R1-18 zoning, which is compatible with the area, and is an executable site plan with conforming stipulations.
- The proposed conventional flat-land site plan does not work with the elevations and contours of the site.
- The applicant has not provided adequate open space or landscaping buffers.
- The PUD may look good on paper, but too many things are open-ended in the application/narrative that states the applicant MAY vs. SHALL or WILL. The stipulations in the PHO case are more stringent than the PUD.
- A PUD in general does not provide specific details or requirements of what will be built. This blank check or "framework of development standards" is inferior to a conventional zoning case and is not in the best interest of the neighborhood or broader Laveen Village. This special area of Laveen deserves a far superior and compatible plan than anything this applicant has proposed over the course of a year.
- A PUD sets a bad precedence for this area and surround undeveloped land.

This PUD case is no significant improvement (it is a watered down version) over the PHO case. The applicant is running both cases in parallel to mask the structural and real issues of density and zoning and to "see what sticks".

Density and zoning are extremely important and is why the large opposition exists to this day. As you can see from the below recent photo, immediate neighbors, community leaders and others across Laveen are united and still against high density in this area.



Please support the community! Again, deny this case as filed and instead recommend approval of the community proposal for 46 lots and a conventional R1-18 zoning district.

Best regards,

Ivan Vializ

8921 S 53rd Dr.

Laveen, AZ 85339

602-743-5427

lvializ@cox.net

Sofia Mastikhina

From: Donna Schober <donna.schober@gmail.com>
Sent: Monday, April 12, 2021 12:27 PM
To: Sofia Mastikhina
Subject: PUD Z-60-20-8

Dear Ms. Mastikhina,

We are Laveen residents of more than 22 years, near the project titled PUD Z-60-20-8. We are strongly opposed to this project moving forward because of the high density and the zoning originally specified for this particular piece of property.

We ask the LVPC to deny this case. We recommend the proposal strongly supported by the Laveen community of 46 lots and a conventional zoning of R1-18.

Thank you for considering our opinion of this matter.

Sincerely,

Donna J. Schober
Marvin A. Sondag

10840 S. 30th Ave
Laveen, AZ 85339

602-237-4887

Sofia Mastikhina

From: C Gunderson <carrsgun@gmail.com>
Sent: Sunday, April 11, 2021 9:03 PM
To: Sofia Mastikhina
Subject: Quarry Case PUD Z-60-20-8

Laveen Village Planning Committee Members,

PUD Z-60-20-8 is a **second and separate case** at the NWC of 35th Avenue and Carver Road, known as the Quarry/Carver Mountain. You, this Village, were supportive of the community and early last year were rightly unanimous in your denial of the PHO version of this case, PHO-1-19-Z-165-06-7(8). Do not let your unanimity or support of the community wane. Unanimously reject this case and instead recommend approval of the community proposal for 46 lots and a conventional R1-18 zoning district.

The applicant likes to use the Laveen Southwest Growth Study in their narrative but fails to include the part stating" *the 0-1 designation was placed on properties adjacent to the Carver Foothills and South Mountain Park. The latter parcels are appropriate for low density development due to the topography of slopes and washes and the desert vegetation. The majority of the 0-2 property is to serve as a buffer between existing lower density lots and new subdivisions with the more standard 2-5 du/a."*

ALL the adjacent and nearby parcels, including the applicant's 40-acre site and the community R1-18 proposal are 0-2 du/a. Density and zoning are the issues here. Laveen lacks diversity of large lots and this is the area for them! The area south of Carver Foothills is special and deserves so much better. A few of the many reasons to deny this PUD as filed are:

- The number of lots and the density is still too high
- The proposed 61 lots at 3+ du/a is still completely incompatible with the area.
- This plan is not a reduction in zoning (aka: down-zoning). It is simply a repackaging of the previous inferior site plan from case PHO-1-19-Z-165-06-7/8.
- The applicant continues to ignore the community and our proposal of 46 lots at R1-18 zoning, which is compatible with the area, and is an executable site plan with conforming stipulations.
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This PUD case is no significant improvement over the PHO case. The applicant is running both cases in parallel to mask the structural and real issues of density and zoning and to “see what sticks”. Please support the community! Again, deny this case as filed and instead recommend approval of the community proposal for 46 lots and a conventional R1-18 zoning district.

Best regards,

Carolyn Gunderson

3514 W Cheyenne Dr.

Laveen, AZ 85339

Sofia Mastikhina

From: Kingston, Tom <tom.kingston@sap.com>
Sent: Friday, April 9, 2021 1:10 PM
To: Sofia Mastikhina
Subject: Opposition to High Density at 35th Ave. and Carver Rd.

Laveen Village Planning Committee Members,

PUD Z-60-20-8 is a **second and separate case** at the NWC of 35th Avenue and Carver Road, known as the Quarry/Carver Mountain. You, this Village, were supportive of the community and early last year were rightly unanimous in your denial of the PHO version of this case, PHO-1-19-Z-165-06-7(8). Do not let your unanimity or support of the community wane. Unanimously reject this case and instead recommend approval of the community proposal for 46 lots and a conventional R1-18 zoning district.

The applicant likes to use the Laveen Southwest Growth Study in their narrative but fails to include the part stating" *the 0-1 designation was placed on properties adjacent to the Carver Foothills and South Mountain Park. The latter parcels are appropriate for low density development due to the topography of slopes and washes and the desert vegetation. The majority of the 0-2 property is to serve as a buffer between existing lower density lots and new subdivisions with the more standard 2-5 du/a."*

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- The number of lots and the density is still too high
- The proposed 61 lots at 3+ du/a is still completely incompatible with the area.
- This plan is not a reduction in zoning (aka: down-zoning). It is simply a repackaging of the previous inferior site plan from case PHO-1-19-Z-165-06-7/8.
- The applicant continues to ignore the community and our proposal of 46 lots at R1-18 zoning, which is compatible with the area, and is an executable site plan with conforming stipulations.
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- The applicant has not provided adequate open space or landscaping buffers.
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This PUD case is no significant improvement over the PHO case. The applicant is running both cases in parallel to mask the structural and real issues of density and zoning and to “see what sticks”. Please support the community! Again, deny this case as filed and instead recommend approval of the community proposal for 46 lots and a conventional R1-18 zoning district.

Best regards,

Tom Kingston

11820 S. 38th Ave. Laveen AZ, 85339

Sofia Mastikhina

From: Tayler Bell <taylerbell691@yahoo.com>
Sent: Friday, April 9, 2021 12:22 PM
To: Sofia Mastikhina
Subject: Opposition to PUD Z-60-20-8

Laveen Village Planning Committee Members,

I ask that you please vote to deny the PUD application Z-60-20-8 that will come before you on Monday, April 12, and move to support the community proposal of 46 lots and a conventional R1-18 zoning district for the Carver Mountain development.

This PUD case is a repackaging of the PHO case 1-19-Z-165-06-7(8) that you unanimously denied previously. It is an attempt by the applicant to put lipstick on a pig and present it as a compromise. But it still stinks and doesn't meet the primary concerns of the community.

The priority for the community is and always has been zoning and density. The applicant likes to highlight that a PUD is more restrictive than a traditional zoning application and so should be more attractive for the community, but the stipulations are primarily cosmetic in nature. The density of the PUD is still incompatible with the surrounding area and the inferred zoning of their 61-lot plan sets an irreversible precedent for future development.

The applicant also likes to cite the Laveen Southwest Growth Study to show they have listened to the neighbors' concerns. Again, they cherry picked low hanging fruit that is mostly cosmetic. They fail to address the part that states, "...*the 0-1 designation was placed on properties adjacent to the Carver Foothills and South Mountain Park. The latter parcels are appropriate for low density development due to the topography of slopes and washes and the desert vegetation. The majority of the 0-2 property is to serve as a buffer between existing lower density lots and new subdivisions with the more standard 2-5 du/a."*

Laveen is growing rapidly. That growth is one of the reasons my husband and I moved to this area just over 2 years ago. We are not opposed to growth and development. We are, however, in favor of responsible development that also preserves the unique rural lifestyle of this area that hardly exists anywhere else in the Valley. We moved here looking for a lifestyle you can't find anywhere else. Please, don't allow this beautiful corner of the Valley to turn into just another Gilbert, Chandler, or cookie cutter American suburb.

Thank you for your continued support and representation of the community in this case.

Sincerely,

Tayler Burchard
11244 S 35th Ave
Laveen, AZ 85339

Sofia Mastikhina

From: Kingston, Suzanne <suzanne.kingston@supportivecaremedgroup.com>
Sent: Friday, April 9, 2021 11:00 AM
To: Sofia Mastikhina
Subject: Opposition to High Density 35th Ave. & Carver

Laveen Village Planning Committee Members,

PUD Z-60-20-8 is a **second and separate case** at the NWC of 35th Avenue and Carver Road, known as the Quarry/Carver Mountain. You, this Village, were supportive of the community and early last year were rightly unanimous in your denial of the PHO version of this case, PHO-1-19-Z-165-06-7(8). Do not let your unanimity or support of the community wane. Unanimously reject this case and instead recommend approval of the community proposal for 46 lots and a conventional R1-18 zoning district.

The applicant likes to use the Laveen Southwest Growth Study in their narrative but fails to include the part stating" *the 0-1 designation was placed on properties adjacent to the Carver Foothills and South Mountain Park. The latter parcels are appropriate for low density development due to the topography of slopes and washes and the desert vegetation. The majority of the 0-2 property is to serve as a buffer between existing lower density lots and new subdivisions with the more standard 2-5 du/a."*

ALL the adjacent and nearby parcels, including the applicant's 40-acre site and the community R1-18 proposal are 0-2 du/a. Density and zoning are the issues here. Laveen lacks diversity of large lots and this is the area for them! The area south of Carver Foothills is special and deserves so much better. A few of the many reasons to deny this PUD as filed are:

- The number of lots and the density is still too high
- The proposed 61 lots at 3+ du/a is still completely incompatible with the area.
- This plan is not a reduction in zoning (aka: down-zoning). It is simply a repackaging of the previous inferior site plan from case PHO-1-19-Z-165-06-7/8.
- The applicant continues to ignore the community and our proposal of 46 lots at R1-18 zoning, which is compatible with the area, and is an executable site plan with conforming stipulations.
- The proposed conventional flat-land site plan does not work with the elevations and contours of the site.
- The applicant has not provided adequate open space or landscaping buffers.
- The PUD may look good on paper, but too many things are open-ended in the application/narrative that states the applicant MAY vs. SHALL or WILL. The stipulations in the PHO case are more stringent than the PUD.
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This PUD case is no significant improvement over the PHO case. The applicant is running both cases in parallel to mask the structural and real issues of density and zoning and to “see what sticks”. Please support the community! Again, deny this case as filed and instead recommend approval of the community proposal for 46 lots and a conventional R1-18 zoning district.

Best regards,

Suzanne Kingston

11820 S. 38th Ave.

Laveen, AZ 85339

SECURITY/CONFIDENTIALITY WARNING: This message and any attachments are intended solely for the individual or entity to which they are addressed. This communication may contain information that is privileged, confidential, or exempt from disclosure under applicable law (e.g., personal health information, research data, financial information). If you are not the intended recipient, or the employee or person responsible for delivering the message to the intended recipient, any dissemination, distribution or copying of the communication is strictly prohibited. ***If you received the communication in error, please notify the sender immediately by replying to this message AND deleting the message and any accompanying files from your system****. If, due to the security risks, you do not wish to receive further communications via e-mail, please reply to this message and inform the sender that you do not wish to receive further e-mail from the sender.*

Sofia Mastikhina

From: Neal Haddad <neal.haddad@gmail.com>
Sent: Friday, April 9, 2021 11:55 AM
To: Sofia Mastikhina
Cc: Paul Barnes
Subject: COMMENT SUBMISSION: LVPC 4.12.21, Item #4: PUD Z-60-20-8

Please add the below statement to the subject file. Thank you.

RE: PUD Z-60-20-8
VIA EMAIL

Members of the Laveen Village Planning Committee—

As people who have followed this case from its initial PHO hearing through now, we ask that you move to **deny the application and instead recommend approval of the community proposal for 46 lots and a conventional R1-18 zoning district**. The LVPC unanimously denied the previous application; to best represent residents and the community's wishes, we implore current members to deny the application again.

As members know, Laveen is a unique area within the 519 sq. mi. that comprise the City of Phoenix. In our view, the application before you does not consider the Laveen community's special attributes and instead seeks only to maximize the profits of the applicant.

After much procedural delay and continuances, the applicant has prepared and submitted a Planned Unit Development (PUD). **The key phrase in the ordinance as to why the PUD is permitted is to provide a "superior built environment" to traditional zoning**. Just how is this application superior?

By pursuing a PUD option, the applicant is, for zoning purposes, creating its own rules and, in effect, its own community. Any development that goes in that site is part of the Laveen community and requires the community's advice and consent.

Consider these points:

- The proposed 61 lots at 3+ density units per acre remains utterly incompatible with the area.
- **Why aren't you applying the legally binding stipulation in the PHO case of zoning reversion** (so that the zoning reverts to the previous zoning)?
- This plan is not a reduction in zoning (aka down-zoning). It is simply a repackaging of the previous inferior site plan from case PHO-1-19-Z-165-06-7/8.
- The applicant continues to ignore the community and **the neighbors' proposal of 46 lots at R1-18 zoning, which is compatible with the area and is an executable site plan with conforming stipulations.**
- The proposed conventional flat-land site plan does not work adequately to consider the site's elevations and contours.
- The applicant has not provided adequate open space or landscaping buffers.

- The PUD may look good on paper, but too many things are open-ended in the application/narrative that states the applicant MAY vs. SHALL or WILL. **The stipulations in the original PHO case are more stringent than the PUD. Why are these stips being reduced at this stage of the process?**

A PUD at this site is not in the best interest of the neighborhood or broader Laveen Village. This particular area of Laveen deserves a far superior and compatible plan than anything this applicant has proposed for more than a year.

This PUD case is no significant improvement over the PHO case. The applicant is running both cases in parallel, complicating the case to mask the structural and real issues of density and zoning and to "see what sticks."

Neighbors understand these points and have stuck with this arduous and arcane process for years. The community is not going to let up.

This case will head to the Planning Commission and then to the City Council. We are constantly told that the VPCs are meant to represent the neighbors and provide a voice for the community. If that is the case, your choice is clear.

Please support your community! **Deny this case as filed and instead recommend approval of the community proposal for 46 lots and a conventional R1-18 zoning district.**

Respectfully,

B. Paul Barnes
Neal Haddad
Neighborhood Coalition of Greater Phoenix

Sofia Mastikhina

From: Irma Cazarez <irmacazarez@gmail.com>
Sent: Friday, April 9, 2021 3:29 PM
To: Sofia Mastikhina
Subject: Letter of Opposition - PUD Case Z-60-20-8, April 12 LVPC, Agenda Item 5

Laveen Village Planning Committee Members,

I am a long-time resident of Laveen Village. Together with my husband, we anchored ourselves in the general South Mountain area back in 2003. As a young family, with a drive for adventure and highly in tune with nature, we sought something that offered more of a sense of community, open space, and natural Arizona landscape. We carefully and patiently looked for an opportunity and in 2008, we identified our forever home located south of Carver Mountain. There she stood little Miss Shawnee (as I refer to her), tall and proud and ready for some much-needed love. We've dressed her up, given her love through the years and we continue to be blessed by her warmth.

We have been fortunate enough to see our children grow and come of age. They roam within the neighborhood with no concerns and with confidence. They venture off on the mountain for afternoon hikes. More importantly, they've been lucky to grow with a true sense of community where most of our neighbors know one another and selfishly give each other a hand when needed.

As a family, we love the open space this area offers and we'd love for this area to retain its charm. We are not opposed to growth or change as we are well aware that change is inevitable. However, we ask that you please evaluate the proposed development and realize that as proposed, both PUD Z-60-20-8, as well as the PHO-1-19-Z-165-06-7(8), do not align with the area. They are both incompatible where the proposed density is much greater than the surrounding area. The area south of Carver Foothills is special and deserves an opportunity to flourish in a more compatible manner. We ask that you reject this case and instead recommend the approval of the community proposal of 46 lots and a conventional R1-18 zoning district.

A few of the many reasons to deny this PUD as filed are:

- The number of lots and the density is still too high
- The proposed 61 lots at 3+ du/a is still completely incompatible with the area.
- This plan is not a reduction in zoning (aka: down-zoning). It is simply a repackaging of the previous inferior site plan from case PHO-1-19-Z-165-06-7/8.
- The applicant continues to ignore the community and our proposal of 46 lots at R1-18 zoning, which is compatible with the area, and is an executable site plan with conforming stipulations.
- The proposed conventional flat-land site plan does not work with the elevations and contours of the site.
- The applicant has not provided adequate open space or landscaping buffers.
- The PUD may look good on paper, but too many things are open-ended in the application/narrative that states the applicant MAY vs. SHALL or WILL. The stipulations in the PHO case are more stringent than the PUD.
- A PUD in general does not provide specific details or requirements of what will be built. This blank check or "framework of development standards" is inferior to a conventional zoning case and is not in the best interest of the neighborhood or broader Laveen Village. This special area of Laveen deserves a far superior and compatible plan than anything this applicant has proposed over the course of a year.

This PUD case is no significant improvement over the PHO case. The applicant is running both cases in parallel to mask the structural and real issues of density and zoning and to "see what sticks". Please support the community! Again, deny this case as filed and instead recommend approval of the community proposal for 46 lots and a conventional R1-18 zoning district.

Best Regards,

Irma Cazarez
3517 W Shawnee Dr
Laveen, AZ 85339

Orlando Cazarez
3517 W Shawnee Dr
Laveen, AZ 85339

Sofia Mastikhina

From: Gina Abbott <abbogina0@gmail.com>
Sent: Friday, April 9, 2021 3:43 PM
To: Sofia Mastikhina
Subject: Quarry Case PUD Z-60-20-8

Laveen Village Planning Committee Members,

PUD Z-60-20-8 is a **second and separate case** at the NWC of 35th Avenue and Carver Road, known as the Quarry/Carver Mountain. You, this Village, were supportive of the community and early last year were rightly unanimous in your denial of the PHO version of this case, PHO-1-19-Z-165-06-7(8). Do not let your unanimity or support of the community wane. Unanimously reject this case and instead recommend approval of the community proposal for 46 lots and a conventional R1-18 zoning district.

The applicant likes to use the Laveen Southwest Growth Study in their narrative but fails to include the part stating" *the 0-1 designation was placed on properties adjacent to the Carver Foothills and South Mountain Park. The latter parcels are appropriate for low density development due to the topography of slopes and washes and the desert vegetation. The majority of the 0-2 property is to serve as a buffer between existing lower density lots and new subdivisions with the more standard 2-5 du/a."*

ALL the adjacent and nearby parcels, including the applicant's 40-acre site and the community R1-18 proposal are 0-2 du/a. Density and zoning are the issues here. Laveen lacks diversity of large lots and this is the area for them! The area south of Carver Foothills is special and deserves so much better. A few of the many reasons to deny this PUD as filed are:

- The number of lots and the density is still too high
- The proposed 61 lots at 3+ du/a is still completely incompatible with the area.
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This PUD case is no significant improvement over the PHO case. The applicant is running both cases in parallel to mask the structural and real issues of density and zoning and to "see what sticks". Please support the community! Again, deny this case as filed and instead recommend approval of the community proposal for 46 lots and a conventional R1-18 zoning district.

I just built a home out here last year and the reason I chose this area was because it was like the country. We had to have an acre in order to build a house and it is nice not to be so close to the neighbors house! I love it because it's peaceful, I love it because we have so many animals wild and domestic out here, I love it because we all know each other because we're not so densely populated.

I do not want to see it ruined by more traffic, more pollution and more people! Please do not let this company create this development the way that they want it! If you allow these people to do what they want, there will definitely be more that will follow and it will totally destroy our area!

Best regards,

Regina Abbott

3832 W Fox Rd

Laveen AZ 85339

Sofia Mastikhina

From: Nicole Glasgow <blue_eyes821@aol.com>
Sent: Thursday, April 8, 2021 4:53 PM
To: Sofia Mastikhina
Subject: Pud z-60-20-8

Laveen Village Planning Committee Members,

PUD Z-60-20-8 is a **second and separate case** at the NWC of 35th Avenue and Carver Road, known as the Quarry/Carver Mountain. You, this Village, were supportive of the community and early last year were rightly unanimous in your denial of the PHO version of this case, PHO-1-19-Z-165-06-7(8). Do not let your unanimity or support of the community wane. Unanimously reject this case and instead recommend approval of the community proposal for 46 lots and a conventional R1-18 zoning district.

The applicant likes to use the Laveen Southwest Growth Study in their narrative but fails to include the part stating" *the 0-1 designation was placed on properties adjacent to the Carver Foothills and South Mountain Park. The latter parcels are appropriate for low density development due to the topography of slopes and washes and the desert vegetation. The majority of the 0-2 property is to serve as a buffer between existing lower density lots and new subdivisions with the more standard 2-5 du/a."*

ALL the adjacent and nearby parcels, including the applicant's 40-acre site and the community R1-18 proposal are 0-2 du/a. Density and zoning are the issues here. Laveen lacks diversity of large lots and this is the area for them! The area south of Carver Foothills is special and deserves so much better. A few of the many reasons to deny this PUD as filed are:

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- A PUD in general does not provide specific details or requirements of what will be built. This blank check or "framework of development standards" is inferior to a conventional zoning case and is not in the best interest of the neighborhood or broader Laveen Village. This special area of Laveen deserves a far superior and compatible plan than anything this applicant has proposed over the course of a year.

This PUD case is no significant improvement over the PHO case. The applicant is running both cases in parallel to mask the structural and real issues of density and zoning and to "see what sticks". Please support the community! Again, deny this case as filed and instead recommend approval of the community proposal for 46 lots and a conventional R1-18 zoning district.

Best re Laveen Village Planning Committee Members,

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Best regards,

Thomas Glasgow
3717 west Carver Rd
Laveen, AZ 85339

Sofia Mastikhina

From: Nicole Glasgow <blue_eyes821@aol.com>
Sent: Thursday, April 8, 2021 4:57 PM
To: Sofia Mastikhina
Subject: Pud z-60-20-8

Laveen Village Planning Committee Members,

PUD Z-60-20-8 is a **second and separate case** at the NWC of 35th Avenue and Carver Road, known as the Quarry/Carver Mountain. You, this Village, were supportive of the community and early last year were rightly unanimous in your denial of the PHO version of this case, PHO-1-19-Z-165-06-7(8). Do not let your unanimity or support of the community wane. Unanimously reject this case and instead recommend approval of the community proposal for 46 lots and a conventional R1-18 zoning district.

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Best regards,
Nicole Glasgow
3717 west Caver Rd

Laveen, AZ 85339

Sofia Mastikhina

From: lynette cook <lmw_9641@aol.com>
Sent: Thursday, April 8, 2021 9:20 PM
To: Sofia Mastikhina
Subject: PUD Z-60-20-8

Laveen Village Planning Committee Members,

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Best regards,

Lynette Wiltgen
2214 W, Ian Dr.
Phoenix, AZ 85041

Sofia Mastikhina

From: Jen Leitch <4jenleitch@gmail.com>
Sent: Thursday, April 8, 2021 11:13 PM
To: Sofia Mastikhina
Subject: Opposition to PUD Z-60-20-8

Laveen Village Planning Committee Members,

Undoubtedly you are receiving many letters that look like this. That is because the community is in complete agreement that this project is not right for us. Please consider all of the points below as you are making your decision. Please support our requested changes to this case.

PUD Z-60-20-8 a **second and separate case** at the NWC of 35th Avenue and Carver Road, known as the Quarry/Carver Mountain. You, this Village, were supportive of the community and early last year were rightly unanimous in your denial of the PHO version of this case, PHO-1-19-Z-165-06-7(8). Do not let your unanimity or support of the community wane. Unanimously reject this case and instead recommend approval of the community proposal for 46 lots and a conventional R1-18 zoning district.

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Jen Leitch

10109 S. 29th Drive

Sofia Mastikhina

From: D in AZ <darcy3535@gmail.com>
Sent: Thursday, April 8, 2021 1:07 PM
To: Sofia Mastikhina
Subject: Opposition to PUD Z-60-20-8 - Carver Mtn/Quarry

Hello, First, if you don't know where this property is, I encourage you to take a car ride to see our unique area as compared to the rest of South Phoenix. Your decision will impact our quiet way of life and I want you to see for yourself that high density to this side of Carver Mountain would change the landscape and feel to our community. I won't bore you with all the details and history as I'm sure others will send a detailed account of their opposition and I will be speaking at the meeting, but I am urging you to deny PUD Z-60-20-8 LVPC as filed and recommend instead the community proposal of 46 lots and a conventional zoning of R1-18.

Thank you,
Darcy Meyer
3535 W Bohl St
Laveen Village AZ 85339

Laveen Village Planning Committee Members,

PUD Z-60-20-8 is a **second and separate case** at the NWC of 35th Avenue and Carver Road, known as the Quarry/Carver Mountain. You, this Village, were supportive of the community and early last year were rightly unanimous in your denial of the PHO version of this case, PHO-1-19-Z-165-06-7(8). Do not let your unanimity or support of the community wane. Unanimously reject this case and instead recommend approval of the community proposal for 46 lots and a conventional R1-18 zoning district.

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Respectfully,

Christine Danielson
2943 W. Ceton Dr.
Laveen, AZ 85339-1744

Sofia Mastikhina

From: BDM <ben.meyer3456@gmail.com>
Sent: Thursday, April 8, 2021 1:39 PM
To: Sofia Mastikhina
Subject: Letter to Oppose PUD Z-60-20-8

To whom it may concern,
Many of you may be new to the LVPC, but there is a PUD case that you will hear about on Apr 12. The applicant of PUD Z-60-20-8 has a parallel case PHO-1-19-Z-165-06-7/8 that has dragged on because of the opposition of the neighbors. This PUD case involves more high density and zoning issues that are not compatible with our area. If you know our area, it has half to one acre (and more) lots. There are horse properties and lots of open space and it's silent and dark at night. Who wouldn't want to live in a community like this?

The community does not support this PUD or PHO case. High density housing does not fit in this area. Please deny PUD Z-60-20-8 as filed.

Sincerely,
Benjamin Meyer
3535 W Bohl St
Laveen, AZ 85339

Sofia Mastikhina

From: Scott Johnson <sjohnson@scottjce.com>
Sent: Wednesday, April 7, 2021 9:17 AM
To: Sofia Mastikhina
Cc: 'Cyd Manning'
Subject: RE: Letter of Opposition - PUD Case Z-60-20-8, April 12 LVPC, Agenda Item 5

Hi Sofia:

You can add me to the opposition letters on this file please. I previously provide an opposition letter and spoke in opposition at the LVPC hearing on the companion PHO case for this site, so will not repeat all of that here.

Suffice it to say, the current PUD application is not substantively different from the previous PHO application from the standpoint of the community. This applicant has not, in my opinion, dealt with either the community or Councilman Garcia in good faith on this matter. They continue to push a high density project in a low density area. The City has continually failed to take the appropriate action with regard to the zoning reversion on this property, allowing the owner to push an inappropriate number of units in their application(s).

I urge the LVPC to recommend denial of this application.

Thank you, Scott Johnson

Scott A. Johnson, P.E.
President
Scott Johnson Consulting Engineers LLC
2030 West Baseline Road, Suite 182-223
Phoenix, Arizona 85041
Phone: 602-237-9609 Fax: 602-237-7672
Cell: 602-320-2382 sjohnson@scottjce.com

From: Cyd Manning <SweetBeat@q.com>
Sent: Tuesday, April 6, 2021 5:33 PM
To: sofia.mastikhina@phoenix.gov
Subject: Letter of Opposition - PUD Case Z-60-20-8, April 12 LVPC, Agenda Item 5
Importance: High

Hi Sofia,
I hope you are doing well. Please forward this email to the LVPC members and include it in the case file for Z-60-20-8.

Thank you and best regards,
Cyd

****

Laveen Village Planning Committee Members,

PUD Z-60-20-8 is a **second and separate case** at the NWC of 35th Avenue and Carver Road, known as the Quarry/Carver Mountain. You, this Village, were supportive of the community and early last year were rightly unanimous in your denial of the PHO version of this case, PHO-1-19-Z-165-06-7(8). Do not let your unanimity or support of the community wane. At the April 12 LVPC meeting, I respectfully request the LVPC unanimously reject this case and instead recommend approval of the community proposal for 46 lots and a conventional R1-18 zoning district.

The applicant likes to use the Laveen Southwest Growth Study in their narrative but fails to include the part stating" *the 0-1 designation was placed on properties adjacent to the Carver Foothills and South Mountain Park. The latter parcels are appropriate for low density development due to the topography of slopes and washes and the desert vegetation. The majority of the 0-2 property is to serve as a buffer between existing lower density lots and new subdivisions with the more standard 2-5 du/a.".*

ALL the adjacent and nearby parcels, including the applicant's 40-acre site and the community R1-18 proposal are 0-2 du/a. The issue is and always has been about density and zoning. Laveen lacks diversity of large lots and this is the area for them! The area south of Carver Foothills is special and deserves so much better. A few of the many reasons to deny this PUD as filed are:

- The number of lots and the density is still too high.
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- This plan is not a reduction in zoning (aka: down-zoning). It is simply a repackaging of the previous inferior site plan from case PHO-1-19-Z-165-06-7/8.
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- The proposed conventional flat-land site plan does not work with the elevations and contours of the site.
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This PUD case is no significant improvement over the PHO case. The applicant is running both cases in parallel to mask the structural and real issues of density and zoning and to "see what sticks". At the end of this letter, I've included the long history provided you via Planning in December 2020 and I've attached the community plan for your reference. Feel free to contact me at any time if you have questions.

Density and zoning are extremely important and is why the large opposition exists to this day. As you can see from the below recent photo, immediate neighbors, community leaders and others across Laveen are united and still against high density in this area.



Please support the community! Again, deny this case as filed and instead recommend approval of the community proposal for 46 lots and a conventional R1-18 zoning district.

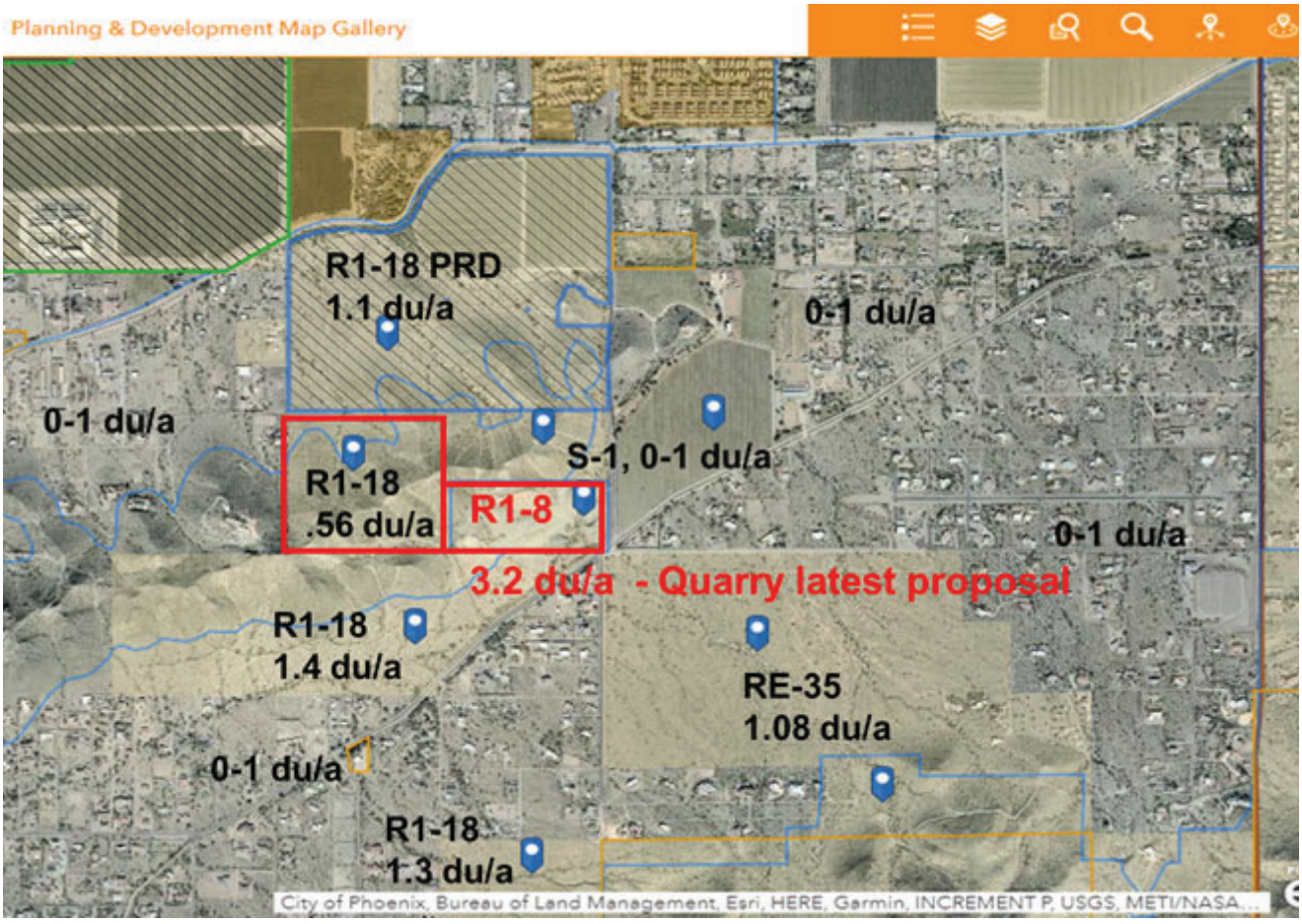
Best regards,

Cyd Manning
3220 W. Ceton Drive
480-747-0769
sweetbeat@q.com

History/Summary Provided December 16, 2020 - Post PUD Informational Meeting at LVPC

Executive Summary:
The original case in 2006/2007 was very contentious due to the high-density development plan in an area that for 25+ years has been planned to be 0-1 homes per acre. This incompatible land use of speculative spot zoning was pushed through regardless of community involvement. The large outpouring of community opposition remains today with the current case/PHO application PHO-1-19-Z-165-06-7/8. The applicant/owner's revised proposal of 63 (recently 61) lots on the 20-acre portion with no zoning district change from R1-8 is still incompatible land use at 3 times the density of adjacent and nearby parcels zoned at R1-18 and RE-35. They also have an active Proposition 207 waiver on file that waives their right to sue the City of Phoenix.

As you heard with the PUD case on Monday, the issue has been and is about zoning and density.



The community has continued to propose a compatible land use alternative (described above) with a conforming site plan and applicable stipulation revisions, along with a zoning district change, that is supported by Councilmember Garcia. This option essentially "splits the baby" with the community moving up two zoning districts and the applicant/owner moving down two zoning districts. Our proposal is a true middle ground and "cuts to the chase" given the City's inability to codify the zoning reversion required in 2011, along with the realignment of the General Plan, to 0-1 du/a.

You can clearly see by the green arrows in the below graph that the community has compromised significantly more than the applicant.

	Community	Applicant
Zoning – 20 acres	↑ 50% (S-1 to R1-18)	→ 0% (R1-8)
# Lots – 20 acres Density	↑ 130% (20 to 46) 2.3 du/a	→ 36% (99 to 63) 3.2 du/a
Zoning, # Lots & Density – 40 acres	No Change	No Change

- **Note - The 20-acre and 40-acre parcels are zoned separately and cannot be calculated together**

The PHO case was continued twice (July 1st and August 26th) at the applicants request to review and respond to the community proposal. The applicant contacted us 6+ weeks after the July 1st continuance and had not performed a detailed review/analysis of our plan. After the August 26th continuance, the applicant reached out after 3 weeks to propose zero zoning change and a token reduction of 2 lots (63 to 61). The PHO case was set for the Council agenda on October 7 and ended up being continued for a third time. In the motion to continue, Councilmember Garcia stated his motion was *"to continue this item for 6 months to the April formal meeting to allow the property owner to file a zoning case to down-zone the property"*. The PHO case is scheduled to be heard at the April 7, 2021 City Council formal meeting.

Now the applicant has filed a second and separate case for a PUD, Z-60-20-8. This new PUD case **is not** a down-zoning (e.g. reduction in zoning). It is simply a repackaging of the PHO case.

Case History Details:

- We are residents of all social and economic backgrounds who have worked hard for our homes and love our community. Even those neighbors with occupations who stand to benefit from more development (e.g. realtors, insurance agents, civil engineers, contractors, etc.) have been and are opposed to this high-density development because it does not fit the area. We are not against change, development, growth or affordable housing. We are for responsible development that is compatible with the area. We have supported high-density developments, including several cases in the last year+, because they fit the area being proposed.
- The video of our area is only 42 seconds long and can be played directly from this secure Dropbox link: https://www.dropbox.com/s/0tfmz2e6htiasqd/Laveen.mp4?dl=0 [dropbox.com]
- The original GPA and Zoning cases in 2006/2007 were very contentious and lasted almost 1 year (GPA-LV-2-06-7 and Z-165-06-7)
    - Owner/applicant proposed:
        - GPA 5-10 du/a from 0-1 Residential/Parks/Open Space
        - R1-18, 40 acres, 22 lots at .56 du/a
        - R2, 20 acres, 136 multi-family units at 6.8 du/a
    - Significant community opposition
        - 200+ community members petitioned in opposition; LVPC & LCRD unanimously opposed; GPA and Zoning cases appealed
        - District 7 candidates Pastor & Nowakowski opposed; Councilmembers Johnson and Simplot voted in opposition
    - Claims of blight, hazardous material, etc. were all proved to be false
    - To help protect the neighborhood from speculative spot zoning and incompatible high-density development, then Mayor Gordon insisted on including a time stipulation (Stipulation 19) for zoning reversion if development did not occur in 48 months.
    - Ultimately the 40-acre portion at R1-18 and 22 lots, the 20-acre portion at R1-8 with 99 detached villas, and Stipulation 19 for zoning reversion was approved and codified in Ordinance G-5020
- The City did follow process in July 2008 and codified a GPA alignment on this parcel
    - The Planning Director letter in the case file states *"The Laveen Village Planning Committee initiated GPA-LV-1-08-7 to create consistency between the Land Use Map and the approved R1-8 zoning and to avoid creating a precedent for higher densities on the surrounding parcels."*
- The current PHO case is equally contentious with the applicant/owner ignoring the community's input until encouraged by Councilmember Garcia
    - The applicant continues to ignore, or claims to be surprised, that zoning is and has been the issue for 13 years
    - Significant community opposition remains:
        - 140+ community members in opposition at LVPC; 40+ community members in opposition at PHO; 70+ community members in opposition at Planning Commission
        - LVPC & LCRD unanimously opposed; significantly over 250+ community letters submitted in opposition to date
        - PHO and Planning Commission recommendations were appealed

- Councilmember Garcia and other community leaders are opposed to the applicant's plan

- The City has refused to enforce Ordinance G-5020 Stipulation 19 which states ***"That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.".***
  - City Council approval was on October 10, 2007 and with the 48-month timing, **the zoning was set to revert to S-1 as of 2011.**
  - To date there has been no development on the property and no action taken by the City to revert the zoning as required, despite multiple requests to do so.
- **Technically the zoning classification for this property has been S-1 since late 2011, but has yet to be codified by the City per Ordinance G-5020**
- **Technically the General Plan is 0-1 du/a, NOT 3.5 to 5, and the City is also obligated to codify that designation**

Sofia Mastikhina

From: Brian & Karie <carvercottage2018@gmail.com>
Sent: Wednesday, April 7, 2021 2:29 PM
To: Sofia Mastikhina
Subject: Zoning Case PUD Z-60-20-8

Follow Up Flag: Follow up
Flag Status: Flagged

Laveen Village Planning Committee Members,

PUD Z-60-20-8 is a **second and separate case** at the NWC of 35th Avenue and Carver Road, known as the Quarry/Carver Mountain. You, this Village, were supportive of the community and early last year were rightly unanimous in your denial of the PHO version of this case, PHO-1-19-Z-165-06-7(8). Do not let your unanimity or support of the community wane. Unanimously reject this case and instead recommend approval of the community proposal for 46 lots and a conventional R1-18 zoning district.

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Best regards,

Karie Hicks

4715 W Carver Rd

Laveen AZ 85339

Sofia Mastikhina

From: Paul Banta <pwbantaz@gmail.com>
Sent: Wednesday, April 7, 2021 6:11 PM
To: Sofia Mastikhina
Subject: Letter for LVPC members, and request to donate speaking time for 4/12 meeting

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms. Mastikhina -
Please share the following letter to the LVPC members. Also, instead of requesting speaking time for myself, I would like to donate my speaking time for the April 12, 6:30 meeting to Cyd Manning. I have already registered for this very important meeting. Thank you. - Elizabeth Banta (contact information is below).

Dear Laveen Village Planning Committee Members,

First, thank you for your service to our community. I have worked for many months following the area known as the Quarry/Carver Mountain. It is a subject that I feel extremely strongly about and I respectfully request that you listen, reflect, and act in opposition to PUD Z-60-20-8. This is a **second and separate case** at the NWC of 35th Avenue and Carver Road, known as the Quarry/Carver Mountain. You are our primary voice to the Phoenix City Council. You earned my respect least year when you, the LVPC, were rightly unanimous in your denial of the PHO version of this case, PHO-1-19-Z-165-06-7(8). Remain strong on behalf of our community! Do not let your unanimity or support of the community wane. Unanimously reject this case and instead recommend approval of the community proposal for 46 lots and a conventional R1-18 zoning district.

The applicant likes to use the Laveen Southwest Growth Study in their narrative but fails to include the part stating" *the 0-1 designation was placed on properties adjacent to the Carver Foothills and South Mountain Park. The latter parcels are appropriate for low density development due to the topography of slopes and washes and the desert vegetation. The majority of the 0-2 property is to serve as a buffer between existing lower density lots and new subdivisions with the more standard 2-5 du/a."*

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Sincerely,

Elizabeth Banta

3938 W Kayenta Trail

Laveen, AZ 85339

480-353-6019

Sofia Mastikhina

From: brian hicks <handymanhicks@gmail.com>
Sent: Wednesday, April 7, 2021 2:32 PM
To: Sofia Mastikhina
Subject: Zoning Case PUD Z-60-20-8

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Brian Hicks

4715 W Carver Rd

Laveen AZ 85339

Sofia Mastikhina

From: Paul Banta <pwbantaz@gmail.com>
Sent: Tuesday, April 6, 2021 6:39 PM
To: Sofia Mastikhina
Subject: Quarry Case PUD Z-60-20-8 - opposition to high density development

To: City Planner Ms. Sophia Mastikhina

Regarding the Quarry Case PUD Z-60-20-8, I would like to express my opposition to allowing high density development on this property.

The local community has been opposed to this for more than a decade. Against the local communities wishes, 10+ years ago the property was zoned for high density development. However, a provision for a reversion of the zoning change was added if the property wasn't developed in a timely manner. The property was not developed. However, it appears that the "reversion" clause is meaningless. No one in the city government will support changing the zoning back.

More recently there has been a push by some land speculators to make money by flipping this property. They are trying to get a high density project approved (80 to 90 houses). The local community leaders have tried to negotiate this down to a less dense development with only 46 houses. The land speculators of course want to maximize their profits. What is really frustrating to the community is that the land speculators are trying to wear down the local community by stretching this process out with repeated delays. The city, by agreeing to these delays, is helping them.

Please understand that this is a very unique area. It is a narrow valley, nestled up to South Mountain Park. It is exclusively 1 acre or larger lots. There is still LOTS OF EMPTY LAND for cookie cutter housing developments. Please help us negotiate a more reasonable plan for this property.

Sincerely,
Paul Banta
480 353 6014

Sofia Mastikhina

From: Donna Snow <carart617@hotmail.com>
Sent: Tuesday, April 6, 2021 6:53 PM
To: Sofia Mastikhina
Cc: Donna Snow
Subject: Quarry Case PUD Z-60-20-8

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Best regards,

Donna Snow
6806 W Desert Lane
Laveen, AZ 85339

Sofia Mastikhina

From: Cyd Manning <SweetBeat@q.com>
Sent: Tuesday, April 6, 2021 5:33 PM
To: Sofia Mastikhina
Subject: Letter of Opposition - PUD Case Z-60-20-8, April 12 LVPC, Agenda Item 5
Attachments: Community SIte Plan and Stipulations.pdf

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Sofia,
I hope you are doing well. Please forward this email to the LVPC members and include it in the case file for Z-60-20-8.

Thank you and best regards,
Cyd

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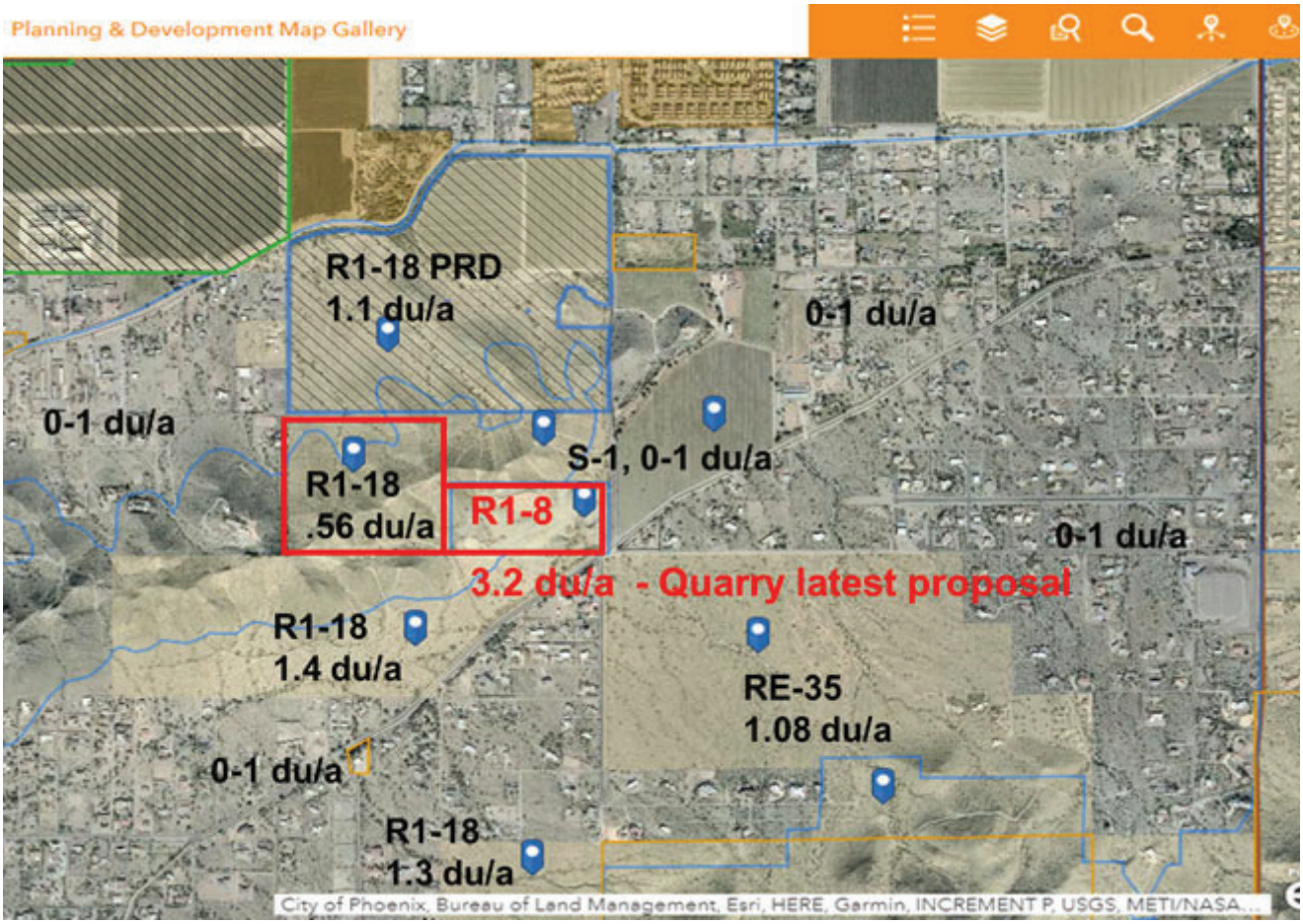
Cyd Manning
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History/Summary Provided December 16, 2020 - Post PUD Informational Meeting at LVPC

Executive Summary:
The original case in 2006/2007 was very contentious due to the high-density development plan in an area that for 25+ years has been planned to be 0-1 homes per acre. This incompatible land use of speculative spot zoning was pushed through regardless of community involvement. The large outpouring of community opposition remains today with the

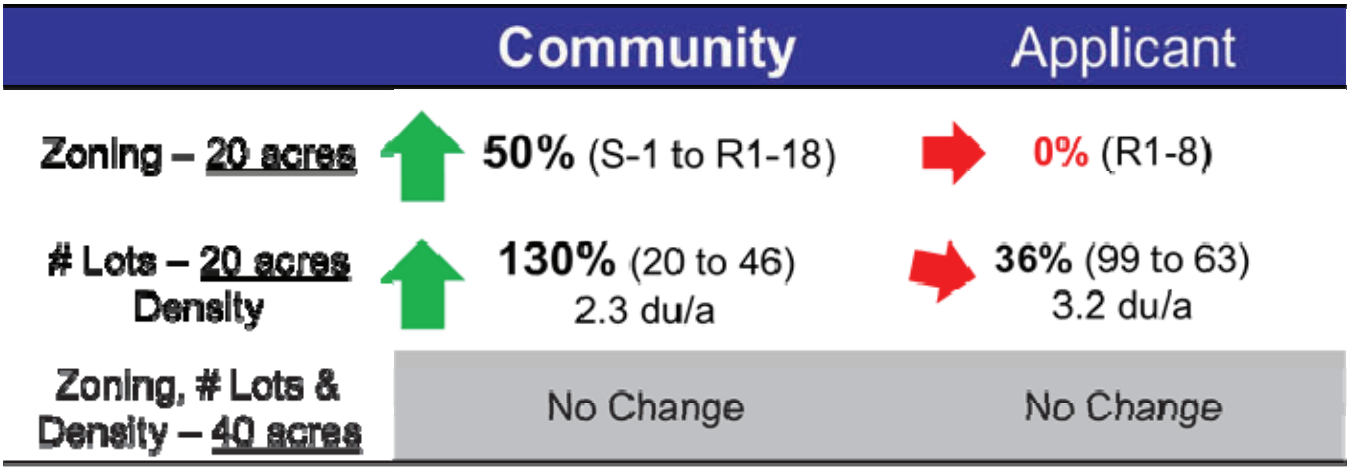
current case/PHO application PHO-1-19-Z-165-06-7/8. The applicant/owner's revised proposal of 63 (recently 61) lots on the 20-acre portion with no zoning district change from R1-8 is still incompatible land use at 3 times the density of adjacent and nearby parcels zoned at R1-18 and RE-35. They also have an active Proposition 207 waiver on file that waives their right to sue the City of Phoenix.

As you heard with the PUD case on Monday, the issue has been and is about zoning and density.



The community has continued to propose a compatible land use alternative (described above) with a conforming site plan and applicable stipulation revisions, along with a zoning district change, that is supported by Councilmember Garcia. This option essentially "splits the baby" with the community moving up two zoning districts and the applicant/owner moving down two zoning districts. Our proposal is a true middle ground and "cuts to the chase" given the City's inability to codify the zoning reversion required in 2011, along with the realignment of the General Plan, to 0-1 du/a.

You can clearly see by the green arrows in the below graph that the community has compromised significantly more than the applicant.



- **Note - The 20-acre and 40-acre parcels are zoned separately and cannot be calculated together**

The PHO case was continued twice (July 1st and August 26th) at the applicants request to review and respond to the community proposal. The applicant contacted us 6+ weeks after the July 1st continuance and had not performed a detailed review/analysis of our plan. After the August 26th continuance, the applicant reached out after 3 weeks to propose zero zoning change and a token reduction of 2 lots (63 to 61). The PHO case was set for the Council agenda on October 7 and ended up being continued for a third time. In the motion to continue, Councilmember Garcia stated his motion was *"to continue this item for 6 months to the April formal meeting to allow the property owner to file a zoning case to down-zone the property"*. The PHO case is scheduled to be heard at the April 7, 2021 City Council formal meeting.

Now the applicant has filed a second and separate case for a PUD, Z-60-20-8. This new PUD case **is not** a down-zoning (e.g. reduction in zoning). It is simply a repackaging of the PHO case.

Case History Details:

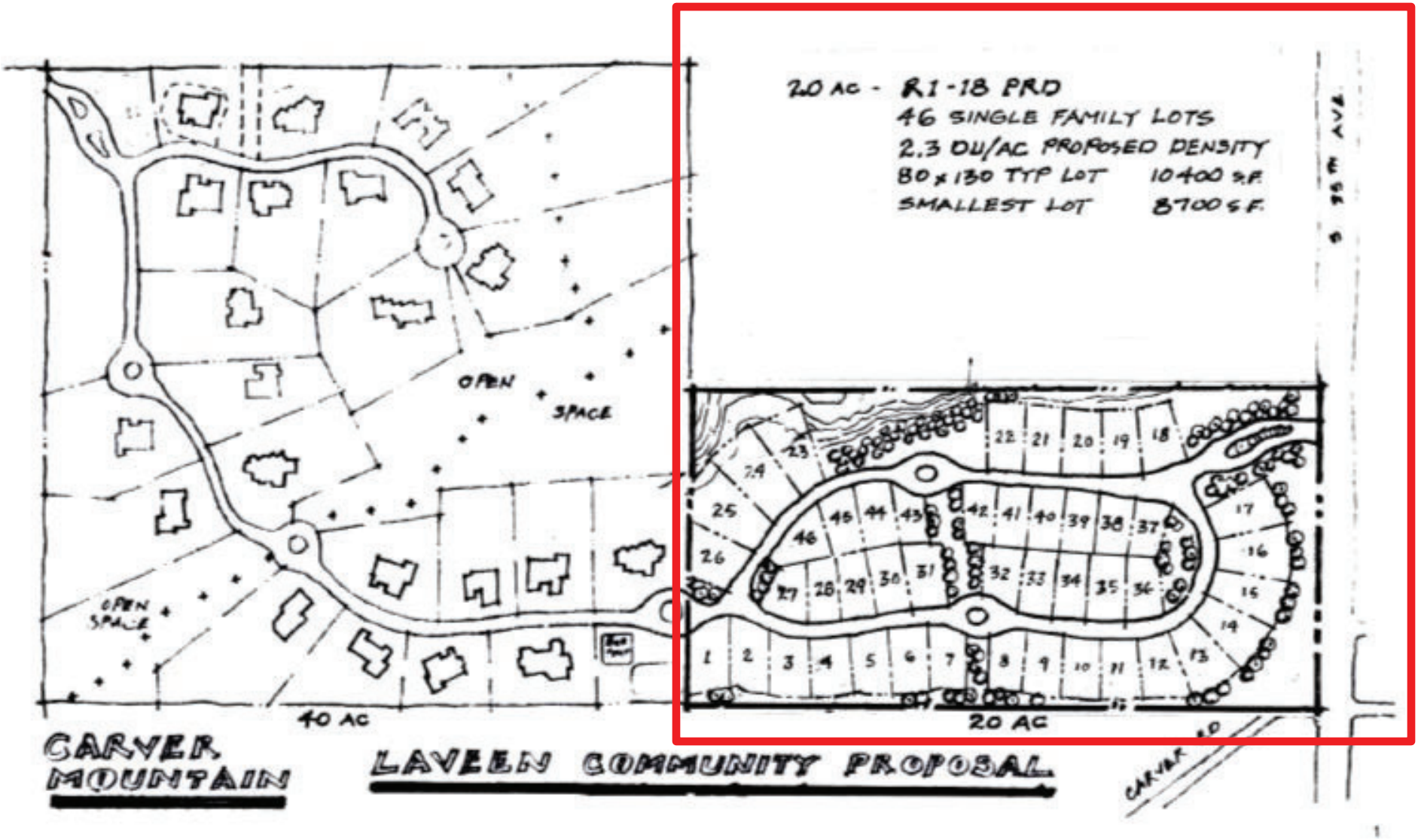
- We are residents of all social and economic backgrounds who have worked hard for our homes and love our community. Even those neighbors with occupations who stand to benefit from more development (e.g. realtors, insurance agents, civil engineers, contractors, etc.) have been and are opposed to this high-density development because it does not fit the area. We are not against change, development, growth or affordable housing. We are for responsible development that is compatible with the area. We have supported high-density developments, including several cases in the last year+, because they fit the area being proposed.
- The video of our area is only 42 seconds long and can be played directly from this secure Dropbox link: https://www.dropbox.com/s/0tfmz2e6htiasqd/Laveen.mp4?dl=0 [dropbox.com]
- The original GPA and Zoning cases in 2006/2007 were very contentious and lasted almost 1 year (GPA-LV-2-06-7 and Z-165-06-7)
    - Owner/applicant proposed:
        - GPA 5-10 du/a from 0-1 Residential/Parks/Open Space
        - R1-18, 40 acres, 22 lots at .56 du/a
        - R2, 20 acres, 136 multi-family units at 6.8 du/a
    - Significant community opposition
        - 200+ community members petitioned in opposition; LVPC & LCRD unanimously opposed; GPA and Zoning cases appealed
        - District 7 candidates Pastor & Nowakowski opposed; Councilmembers Johnson and Simplot voted in opposition
    - Claims of blight, hazardous material, etc. were all proved to be false
    - To help protect the neighborhood from speculative spot zoning and incompatible high-density development, then Mayor Gordon insisted on including a time stipulation (Stipulation 19) for zoning reversion if development did not occur in 48 months.

- Ultimately the 40-acre portion at R1-18 and 22 lots, the 20-acre portion at R1-8 with 99 detached villas, and Stipulation 19 for zoning reversion was approved and codified in Ordinance G-5020

- The City did follow process in July 2008 and codified a GPA alignment on this parcel
  - The Planning Director letter in the case file states *"The Laveen Village Planning Committee initiated GPA-LV-1-08-7 to create consistency between the Land Use Map and the approved R1-8 zoning and to avoid creating a precedent for higher densities on the surrounding parcels."*
- The current PHO case is equally contentious with the applicant/owner ignoring the community's input until encouraged by Councilmember Garcia
  - The applicant continues to ignore, or claims to be surprised, that zoning is and has been the issue for 13 years
  - Significant community opposition remains:
    - 140+ community members in opposition at LVPC; 40+ community members in opposition at PHO; 70+ community members in opposition at Planning Commission
    - LVPC & LCRD unanimously opposed; significantly over 250+ community letters submitted in opposition to date
    - PHO and Planning Commission recommendations were appealed
    - Councilmember Garcia and other community leaders are opposed to the applicant's plan
  - The City has refused to enforce Ordinance G-5020 Stipulation 19 which states ***"That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.".***
    - City Council approval was on October 10, 2007 and with the 48-month timing, **the zoning was set to revert to S-1 as of 2011.**
    - To date there has been no development on the property and no action taken by the City to revert the zoning as required, despite multiple requests to do so.
  - **Technically the zoning classification for this property has been S-1 since late 2011, but has yet to be codified by the City per Ordinance G-5020**
  - **Technically the General Plan is 0-1 du/a, NOT 3.5 to 5, and the City is also obligated to codify that designation**

Community Site Plan

Community Proposed Site Plan with R1-18 zoning district on the 20 acre parcel:



Stipulations from PHO Case

- Stipulation 1: THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED JUNE 24, 2020, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT, AND WITH SPECIFIC REGARD TO THE FOLLOWING:
- THE DEVELOPER SHALL PROVIDE A PRIMARY ROADWAY FROM 35TH AVENUE EXTENDED TO THE WESTERN PROPERTY BOUNDARY, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
- THE PRIMARY ROADWAY CONNECTING 35TH AVENUE TO THE WESTERN EDGE OF THE PROPERTY LINE SHALL PROVIDE A VEHICULAR CONNECTION TO, FOR AND INTEGRATED WITH BOTH THE 20-ACRE AND 40-ACRE PORTIONS OF THE PARCEL.
- Stipulation 2: CONCEPTUAL ELEVATIONS FOR THE 20-ACRE DEVELOPMENT SHALL BE REVIEWED AND APPROVED BY THE PLANNING HEARING OFFICER THROUGH THE PUBLIC HEARING PROCESS FOR STIPULATION MODIFICATION PRIOR TO PRELIMINARY SITE PLAN APPROVAL. THIS IS A LEGISLATIVE REVIEW FOR CONCEPTUAL PURPOSES ONLY. SPECIFIC DEVELOPMENT STANDARDS AND REQUIREMENTS MAY BE DETERMINED BY THE PLANNING HEARING OFFICER AND THE PLANNING AND DEVELOPMENT DEPARTMENT.
- Stipulation 4: DEVELOPMENT OF THE 40-ACRE R1-18 PORTION OF THE SITE SHALL NOT EXCEED 22 LOTS.
- Stipulation 5: DEVELOPMENT OF THE 20-ACRE CURRENT R1-8 PORTION OF THE SITE SHALL NOT EXCEED A DENSITY OF 46 LOTS AND SHALL BE REZONED TO R1-18.
- Stipulation 6. THE 20-ACRE DEVELOPMENT SHALL PROVIDE A MINIMUM OF 26% OPEN SPACE, OF WHICH A MINIMUM OF 12%, SHALL BE USABLE OPEN SPACE, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
- Stipulation 15: THE DEVELOPER SHALL DEDICATE A MULTI-USE TRAIL EASEMENT AND CONSTRUCT A MULTI-USE TRAIL PER ADOPTED STANDARDS ALONG THE NORTH SIDE OF CARVER ROAD AND ALONG THE WEST SIDE OF 35TH AVENUE, AS APPROVED BY THE PARKS AND RECREATION DEPARTMENT.
- Stipulation 35: A MINIMUM OF THREE TERRACED BERMS WITH 2:1 FILL SLOPES SHALL BE INSTALLED ALONG THE FULL LENGTH OF THE QUARRY CUT SLOPE BASE. THE TERRACES SHALL BE A MIMIMUM HEIGHT OF 8 FEET TALL AND SHALL BE PLANTED WITH A STAGGERED COMBINATION OF 2-INCH AND 4-INCH CALIPER, DROUGHT RESISTANT, DECIDUOUS TREES AT 25 FEET ON CENTER OR IN EQUIVALENT GROUPINGS TO CENTER, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT.
- Stipulations 43 & 44: Require Staff to update these stipulations to include notification to all individuals on record who have written and/or attended public meetings regarding this case
- All other stipulations, including Stipulation 19, to remain unchanged.
- A conforming site plan dated June 24, 2020 is attached

Sofia Mastikhina

From: Bret Burchard <bretburchard3@yahoo.com>
Sent: Tuesday, April 6, 2021 4:29 PM
To: Sofia Mastikhina
Subject: Quarry Case - Agenda Item #5 - PUD Z-60-20-8

Follow Up Flag: Follow up
Flag Status: Flagged

Laveen Village Planning Committee Members,

I ask that you please vote to deny the PUD application Z-60-20-8 that will come before you on Monday, April 12, and move to support the community proposal of 46 lots and a conventional R1-18 zoning district for the Carver Mountain development.

This PUD case is a repackaging of the PHO case 1-19-Z-165-06-7(8) that you unanimously denied previously. It is an attempt by the applicant to put lipstick on a pig and present it as a compromise. But it still stinks and doesn't meet the primary concerns of the community.

The priority for the community is and always has been zoning and density. The applicant likes to highlight that a PUD is more restrictive than a traditional zoning application and so should be more attractive for the community, but the stipulations are primarily cosmetic in nature. The density of the PUD is still incompatible with the surrounding area and the inferred zoning of their 61-lot plan sets an irreversible precedent for future development.

The applicant also likes to cite the Laveen Southwest Growth Study to show they have listened to the neighbors' concerns. Again, they cherry picked low hanging fruit that is mostly cosmetic. They fail to address the part that states, "...*the 0-1 designation was placed on properties adjacent to the Carver Foothills and South Mountain Park. The latter parcels are appropriate for low density development due to the topography of slopes and washes and the desert vegetation. The majority of the 0-2 property is to serve as a buffer between existing lower density lots and new subdivisions with the more standard 2-5 du/a."*

Laveen is growing rapidly. That growth is one of the reasons my wife and I moved to this area just over 2 years ago. We are not opposed to growth and development. We are, however, in favor of responsible development that also preserves the unique rural lifestyle of this area that hardly exists anywhere else in the Valley. We moved here looking for a lifestyle you can't find anywhere else. Please, don't allow this beautiful corner of the Valley to turn into just another Gilbert, Chandler, or cookie cutter American suburb.

Thank you for your continued support and representation of the community in this case.

Sincerely,

Bret Burchard
11244 S 35th Ave
Laveen, AZ 85339

Sofia Mastikhina

From: Edward Moore <emoore@vizzda.com>
Sent: Wednesday, April 28, 2021 6:52 PM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Public comment re: PUD Z-60-20-8 for May 6 Planning Commission Hearing

I am a resident in Laveen and live a few hundred yards to the southwest of the site called "The Quarry" here at 35th Avenue and Carver Rd. (APN 300-11-008X) A development at this site is being called the Carver Canyon PUD. I would like to share my thoughts on this.

The south of Carver Road has been developed at an RU-43 density and is a great neighborhood. What you can't see in a satellite image is that our neighborhood is nestled in a bit of a bowl between "South Mountain" and "Carver Mountain" creating mountain views in all directions. The homes are on larger lots that are covered with native plants. There isn't a single grassy yard in this community. I haven't seen a single out-of-place tree... no Oaks, Birch, Aspens, etc. The trees here are Ironwoods, Palo Verde, and Creosote... they drop seeds and flowers for the round-tailed squirrels, the Gamble Quail, the mourning doves, Gila woodpeckers, road runners, coyotes, owls, and even the Javelinas that live here and wander across these properties. Many of the lots do not even have fences. We have dirt roads. This is not suburbia... we are living within a natural landscape... and the native animals that live with South Mountain Park come down and wander through our community and share this neighborhood with us. It is a very special community. I hope I am communicating what it is like to live here.

The zoning to the north of Carver had been the same in the past but was doubled during the real estate boom phase... and was not reverted as it should have been. To the north of my home there are now two projects being planned that have approximately double (or more!) of the density of my neighborhood.

First, the Carver Mountain South project was final-platted last May. That plan will create 111 new homes on 59 acres of a 95-acre site about a hundred yards from my house. The home builders can't build cheaply on the steep slopes and hilltops so this land will not be improved and so they were instead allowed double the density on the other half of the property. This math looks good on paper but the reality is that it is going to create a very different type of neighborhood to what we enjoy now which isn't very consistent with the feel of the development in this rest of this little community. It will be a bit of suburbia intruding into this small valley which had been more naturalistic and nature friendly up until now.

The other project is the one that is before you today... the Carver Canyon PUD. If the Carver Mountain South project makes me feel sad and that suburbia in intruding into and transforming my community... the Carver Canyon PUD is much worse. The documents you have before you state a residential density of 3-5 should be fine here. No problemo! Well it is a problem for me. This is 5x the density of our community up until now and more than 2x the density of the "suburbia" Carver Mountain South project... it is wildly inconsistent with the surrounding community. I don't know why this would even be considered. I assume that the homebuilders don't want to develop the steeper slows on the western half of their land and that the planners are just allowing them to create 5x the appropriate density on the easternmost quarter of the parcel in the area that is flattest and cheapest to develop... thus basically wrecking the feel of my community, basically. That's just not OK. Please protect my community and see it developed at or around a density of 1.0 which is appropriate for our neighborhood. Please do not install and expand pockets of a dense suburbia into my community because a calculator tells you that the vacant land is a counter-balance. It isn't. This land could be developed with single family homes and ranchettes which cover a much larger area of the property and THIS is what would be more consistent with the community. Let's have a bit of balance in this development. Please consider the properties surrounding this one. There is a real estate boom going on. The ownership group which is developing

this land is going to make a fortune and don't need to be awarded permission to build at an outrageous localized densities which will create a blight and rob value from the rest of the neighborhood.

Please send this project back for some re-envisioning for how it can be developed in a way which is more consistent with the rest of our community. The current vision is not at all consistent with our community.

If you want to see this community and get a feel for what I'm describing... come here. The Ironwood are blooming with purple flowers, the Palo Verde are covered in yellow flowers... and everywhere you look you will see squirrels, quail, doves and the other residents.

Sincerely,

Edward

--
Edward Moore
Real Estate Researcher
Vizzda [vizzdanews.blogspot.com]

Sofia Mastikhina

From: John Knight <john.knight@aircomm.com>
Sent: Friday, April 30, 2021 9:34 AM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC; Dr. Dean G. Gordy Fairchild, Ph.D.; Elizabeth Banta; desertofeden@msn.com
Subject: Laveen Project CARVER RD (Mountain) and 35th Avenue

Ms. Escolar and Ms. Mastikhina
I hope this email finds you well. We have been a resident in Laveen at 4036 W Kiva Street since 2003. We bought and invested heavily in this area because of what the City laid out in 1995 in the Laveen Master Plan. Unfortunately, over the last 25 years, the plan has been completely ignored in many areas. The land and homes adjacent to Carver Mountain and the South Mountain Preserve are unique homes that offer a completely different lifestyle than high density developments. This area was set aside to keep density low to showcase one of the city's greatest assets. South Mountain. The homes being built here today are close to $1 Million Dollars and have a 15% max footprint limit. We as residents and a large tax base of the County and City can not urge you enough to respect this area and do everything possible to protect our investment in an Equestrian, Open Skies, Low Density and Low Traffic part of Laveen. I understand that the LCRD and Residents have come together (us included) on a design that is acceptable to the consensus and urge your continued support.

Precedence is everything. We have seen parcel by parcel come up and zoning changed at the drop of a hat. I would speculate that if we tried to build small homes next to the CEO and Executives of the prevailing home builders, they would not let their own product be built next to their large gated communities. We ask that this sacred area by left to one home per acre as much as possible. All it takes is one decision and we will see the same reckless building next to our large properties and homes. This will devalue our investment in a diverse Laveen.

If you have any questions, please feel free to reach out by email or by phone.

My regards.

--

[cloud.letsignit.com]

John Knight
VP Integrated Solutions
P: (602) 237-4915
C: (602) 549-1885
E: john.knight@aircomm.com
W: www.aircomm.com [cloud.letsignit.com]

[cloud.letsignit.com]

Racelle Escolar

From: Ruth Franklin <ruthie_franklin@yahoo.com>
Sent: Monday, May 3, 2021 1:30 PM
To: Racelle Escolar; Sofia Mastikhina
Cc: Council District 8 PCC
Subject: Re: Subject: Opposition to Case PUD Z-60-20-8 for May 6 Planning Commission Hearing – Request to Support LVPC Recommendation

Dear Planning Commission Members,
I am writing again to clarify that I am in **opposition** to the case.
The LVPC is also in opposition to the case.
Thank you,
Ruth Franklin

On Sunday, May 2, 2021, 10:27:31 AM PDT, Ruth Franklin <ruthie_franklin@yahoo.com> wrote:

Dear Planning Commission Members,

The subject PUD is the second zoning case at the NWC of 35th Avenue and Carver Road in Laveen known as the Quarry. You heard the PHO version of this case mid-last year and the outpouring of community opposition to high density and incompatible land use in this area. Councilmember Garcia led the City Council in a continuance of the PHO case at the October 2020 City Council meeting and requested the applicant process a "down-zoning". Since that time, the applicant has pursued the subject PUD case that you will hear on May 6. The LVPC and community provided input throughout the PUD process and during the April 12, 2021 LVPC meeting.

I support the LVPC recommendation and I respectfully request the Planning Commission recommend approval of the April 12 LVPC recommendation when you hear this case on May 6. The LVPC resolved the structural issues of density and zoning, and made this a much better development than the PHO case. Their vote approved a maximum of 46 lots total (which conforms to the plan put forth by the community, as opposed to the high density plan the applicant presented), minimum lot size of 8700 sq. ft., enhanced building architecture and landscaping standards stipulations that result in compatible land use and is equivalent to R1-18 density. Councilmember Garcia has supported the community with a 46-lot, R1-18 plan throughout the PHO case last year and we expect his support of the LVPC recommendation.

Please stand with the LVPC and community and support the LVPC recommendation in this case.

Best regards,
Ruth Franklin
3143 W Avion Way
Laveen, AZ 85339

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 126

(CONTINUED FROM JULY 1, AUG. 26, AND OCT. 7, 2020, AND APRIL 7, 2021) - Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application PHO-1-19--Z-165-06-7(8) - Northwest Corner of 35th Avenue and Carver Road (Ordinance G-6718)

Request to hold a public hearing on the Planning Hearing Officer application for the following item and consider adoption of the Planning Commission recommendation on June 4, 2020.

Summary

Application: PHO-1-19--Z-165-06-7(8)
Existing Zoning: R1-8 and R1-18
Acreage: 59.48

Owner: Virtua 35th LLC
Applicant: Jennifer Hall, Rose Law Group
Representative: Tom Galvin, Rose Law Group

Proposal:
1. Modification of Stipulation 1 regarding general conformance to the site plan date stamped Oct. 8, 2007 and elevations date stamped Feb. 20, 2007.
2. Modification of Stipulation 7 regarding the landscape setback adjacent to 35th Avenue.
3. Deletion of Stipulation 19 regarding conditional development approval.
4. Modification of Stipulation 27 regarding height of terraced berms along the quarry cut slope base.
5. Modification of Stipulation 31 regarding raised, vertical curbs within the R1-18 portion of the site.
6. Modification of Stipulation 37 regarding detached sidewalks and landscape strips within the R1-8 portion of the site.
7. Deletion of Stipulation 39 regarding one-story homes along 35th Avenue.
8. Technical corrections to Stipulations 4, 5, 6, 8, 9, 15, 18, 20, 21, 22, 23, 24, 25, 26, 28, 29, 30, 33, 34, 36, 38, and 40.
9. Modification of Stipulation 3 (proposed Stipulation 5) regarding the maximum number of lots in the R1-8 portion of the site.

Concurrence

Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee heard this case on Jan. 13, 2020 and recommended denial by an 11-0 vote.

Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Jan. 15, 2020 and took this case under advisement. On Feb. 13, 2020 the Planning Hearing Officer took this case out from under advisement and recommended denial as filed and approval with modifications and additional stipulations. See **Attachment B** for a complete list of the Planning Hearing Officer's recommended stipulations.

PC Action: The Planning Commission heard this case on May 7, 2020, and the case was continued to June 4, 2020 Planning Commission by an 8-0 vote and the applicant and neighbors concerned about the request were asked to try to work on a compromise.

The Planning Commission heard this case again on June 4, 2020, and recommended approval per the staff memo dated June 4, 2020 with a modified stipulation, and with direction to the applicant to modify the application prior to the City Council meeting by an 8-0 vote.

Location

Northwest corner of 35th Avenue and Carver Road
Council District: 8
Parcel Address: N/A

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua 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 STIPULATIONS APPLICABLE TO REZONING APPLICATION Z-165-06-7(8) PREVIOUSLY APPROVED BY ORDINANCE G-5020.

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

SECTION 1. The zoning stipulations applicable located at the northwest corner of 35th Avenue and Carver Road in a portion of Section 10, Township 1 South, Range 2 East, as described more specifically in Attachment "A", are hereby modified to read as set forth below.

STIPULATIONS:

General

~~1. That development shall be in general conformance with the site plan date stamped October 8, 2007, and elevations date stamped February 20, 2007, as modified by the following stipulations, and as approved by the Development Services Department.~~

1. THE R1-8 DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED ~~NOVEMBER 21, 2019~~ MAY 26,2020, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT, AND WITH SPECIFIC REGARD TO THE FOLLOWING:

   A. THE DEVELOPER SHALL PROVIDE A PRIMARY ROADWAY FROM 35TH AVENUE EXTENDED TO THE WESTERN PROPERTY BOUNDARY, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

DRAFT

B. THE PRIMARY ROADWAY CONNECTING 35TH AVENUE TO THE WESTERN EDGE OF THE PROPERTY LINE SHALL TERMINATE AS A STUB STREET TO THE ADJACENT UNDEVELOPED LAND TO THE WEST TO PROVIDE FOR A FUTURE VEHICULAR CONNECTION.

2. CONCEPTUAL ELEVATIONS FOR THE R1-8 DEVELOPMENT SHALL BE REVIEWED AND APPROVED BY THE PLANNING HEARING OFFICER THROUGH THE PUBLIC HEARING PROCESS FOR STIPULATION MODIFICATION PRIOR TO PRELIMINARY SITE PLAN APPROVAL. THIS IS A LEGISLATIVE REVIEW FOR CONCEPTUAL PURPOSES ONLY. SPECIFIC DEVELOPMENT STANDARDS AND REQUIREMENTS MAY BE DETERMINED BY THE PLANNING HEARING OFFICER AND THE PLANNING AND DEVELOPMENT DEPARTMENT.

3. THE R1-18 DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED OCTOBER 8, 2007, AND ELEVATIONS DATE STAMPED FEBRUARY 20, 2007, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

4. ~~That d~~Development of the R1-18 portion of the site shall not exceed 22 lots.
~~2.~~

5. ~~That d~~Development of the R1-8 portion of the site shall not exceed a density of
~~3.~~ ~~99~~ 63 lots.

6. THE R1-8 DEVELOPMENT SHALL PROVIDE A MINIMUM OF 26% OPEN SPACE, OF WHICH A MINIMUM OF ~~12%~~ 8% SHALL BE USABLE OPEN SPACE, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

Site Design

7. ~~That u~~Unobstructed pedestrian access (for the purpose of private pedestrian
~~4.~~ connectivity internal to the site) between the R1-18 and R1-8 portions of the site shall be provided, as approved by the PLANNING AND Development ~~Services~~ Department.

8. ~~That n~~No solid wall in excess of three feet in height as measured from the
~~5.~~ finished grade, shall be located on the site (either in private lots or common tracts) except that solid walls greater than three feet in height shall be allowed for the following purposes, as approved by the PLANNING AND Development ~~Services~~ Department.

a. Walls utilized to screen utilities, trash enclosures, or other facilities generally considered to be visually obtrusive.

b. Retaining wall.

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9. ~~That n~~No more than 60,000 square feet of natural turf area shall be located ~~6.~~ within the common areas of the R1-8 portion of the site (this requirement does not apply to synthetic turf); if provided, common area natural turf should be centrally located and grouped so as to create one contiguous natural turf recreation area, as approved by the PLANNING AND Development ~~Services~~ Department.

10. ~~That a 235-foot (average), 200-foot (minimum)~~ THE DEVELOPMENT SHALL ~~7.~~ PROVIDE A MINIMUM 100 FOOT landscaped setback ALONG THE EAST PROPERTY LINE ~~adjacent to 35th Avenue shall be provided~~, as approved by the PLANNING AND Development ~~Services~~ Department.

11. ~~That a~~ A 50-foot (minimum) landscaped setback adjacent to Carver Road (final ~~8.~~ alignment) shall be provided, as approved by the PLANNING AND Development ~~Services~~ Department.

12. ~~That t~~Those portions of spider and jeep trails which are not part of the approved ~~9.~~ grading envelopes, access drives, or other necessary site disturbance related to the proposed development of the R1-8 portion of the site shall be re-vegetated in a manner consistent with adjacent undisturbed vegetation, as approved by the PLANNING AND Development ~~Services~~ Department.

Disclosures

13. ~~That p~~Prior to final site plan approval, the property owner shall record documents ~~10.~~ that disclose to tenants of the site or purchasers of property within the site, the existence, proximity, and operational characteristics of active agricultural uses and non-domesticated animal keeping. 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.

14. THAT PRIOR TO FINAL SITE PLAN APPROVAL, THE PROPERTY OWNER SHALL RECORD DOCUMENTS THAT DISCLOSE TO TENANTS OF THE SITE OR PURCHASERS OF PROPERTY WITHIN THE SITE, THE EXISTENCE, PROXIMITY, AND OPERATIONAL CHARACTERISTICS OF ACTIVE AVIATION USES IN THE HANGAR HACIENDAS UNITS ONE, TWO, AND THREE SUBDIVISIONS LOCATED APPROXIMATELY 2,300 FEET TO THE EAST OF THE SUBJECT PROPERTY IN MARICOPA COUNTY. 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.

Parks and Recreation

15. ~~That t~~The developer shall dedicate a multi-use trail easement and construct a ~~11.~~ multi-use trail, per adopted standards, along the north side of Carver Road, as approved by the Parks and Recreation Department.

Archaeology

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16. ~~That t~~The applicant shall complete an archaeological survey report of the
~~12.~~ development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, or grading.

17. 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.

18. 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.

19. 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.

Street Transportation

20. ~~That r~~Right-of-way totaling 55 feet shall be dedicated for the west half of 35th
~~13.~~ Avenue, as approved by the Street Transportation Department. 35th Avenue shall be constructed using rural streets standards similar to Dobbins Road, as approved by the Street Transportation Department.

21. ~~That r~~Right-of-way totaling 55 feet shall be dedicated for the west half of Carver
~~14.~~ Road, as approved by the Street Transportation Department. Carver Road shall be constructed using rural streets standards similar to Dobbins Road, as approved by the Street Transportation Department.

22. THE DEVELOPER SHALL DEDICATE RIGHT-OF-WAY FOR 35TH AVENUE AS DETERMINED BY THE MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION (MCDOT) AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

23. THE DEVELOPER SHALL DEDICATE RIGHT-OF-WAY FOR CARVER ROAD AS DETERMINED BY THE MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION (MCDOT) AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

24. ~~That a~~A traffic impact study shall be submitted to, and approved by, the Street
~~15.~~ Transportation Department prior to PLANNING AND Development ~~Services~~

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Department preliminary site plan approval. That all right-of-way dedications and associated infrastructure improvements as recommended by the traffic impact study shall be installed by the developer, as approved by the PLANNING AND Development ~~Services~~ Department.

25. ~~That t~~The developer shall construct all streets within and adjacent to the
~~16.~~ development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals, as modified by these stipulations, and as approved by the Street Transportation Department. All improvements shall comply with all AmericanS with Disabilities Act accessibility standards.

26. ~~That t~~The applicant shall complete and submit the Developer Project Information
~~17.~~ Form for the Maricopa Association of Governments Transportation Improvement Program. This form is a requirement of the Environmental Protection Agency to meet clean air quality requirements.

27. ~~That p~~Prior to preliminary site plan approval, the landowner shall execute a
~~18.~~ Proposition 207 waiver of claims utilizing the provided template. The waiver shall be recorded with the Maricopa County Recorder's Office and a copy shall be provided to the PLANNING AND Development ~~Services~~ Department for the case files.

~~19. That approval shall be conditional upon the development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of the building walls on site.~~

Neighborhood

28. ~~That b~~Building pad cuts shall be terraced if more than 6 feet in height and treated
~~20.~~ with a stain, gunnite, or equivalent finish, as approved by the PLANNING AND Development ~~Services~~ Department.

29. ~~That a~~All two story homes, within the R1-18 portion of the site, shall be designed
~~21.~~ in a manner such that the square footage of the second story floor area does not exceed 66 percent of the first story floor area does not exceed 66 percent of the first story floor area, as approved by the PLANNING AND Development ~~Services~~ Department.

30. ~~That c~~Concrete channels shall be designed to look natural in the desert setting
~~22.~~ through color, texture, landscaping, or other means, as approved by the PLANNING AND Development ~~Services~~ Department.

31. ~~That t~~The use of riprap and engineered culverts shall be minimized and, where
~~23.~~ utilized, shall be integrated with the desert setting through color, texture, soil plating, landscaping, or other means, as approved by the PLANNING AND Development ~~Services~~ Department. To the extent possible, culverts shall be undersized to allow minor flows (10 cfs or smaller) to cross roadways in their natural condition.

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32. ~~That w~~Washes with a one-hundred-year peak flow of 200 cfs or greater shall be
~~24.~~ preserved and enhanced with native vegetation as described in Appendix A, Approved Plant Species List for Sonoran Preserve Edge Treatment Guidelines, as approved by the PLANNING AND Development ~~Services~~ Department.

33. ~~That l~~Lots with 2 or more sides abutting undisturbed open space shall be
~~25.~~ designed with obtuse angles, rather than right angles or acute angles, as approved by the PLANNING AND Development ~~Services~~ Department.

34. ~~That o~~On non-hillside lots within the R1-18 portion of the development, all
~~26.~~ improvements, including driveways, landscaping, and underground utilities shall be located within a building envelope occupying no more than 50 percent of the lot up to a maximum of 20,000 square feet, whichever is less, as approved by the PLANNING AND Development ~~Services~~ Department.

35. ~~That a~~ A minimum of three terraced berms with 2:1 fill slopes shall be installed
~~27.~~ along the full length of the quarry cut slope base. The terraces shall BE LIMITED TO A MAXIMUM HEIGHT OF ~~be~~ 8 feet ~~tall, minimum,~~ and shall be PLANTED ~~plated~~ with a staggered combination of 2-inch and 4-inch caliper, drought resistant, deciduous trees at 25 feet ON center OR IN EQUIVALENT GROUPINGS ~~to center~~, as approved OR MODIFIED by the PLANNING AND Development ~~Services~~ Department.

THE DEVELOPER MAY ALSO IMPLEMENT ALTERNATIVE SOLUTIONS FOR THE NATURALIZING AND BLENDING OF THE QUARRY CUT SLOPE WITH THE ADJACENT UNDISTURBED HILLSIDE AREA, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

36. ~~That s~~Solid block walls, except for retaining walls or privacy fencing on individual
~~28.~~ lots, shall not be constructed outside of the building envelopes for the R1-18 portion of the site, as approved by the PLANNING AND Development ~~Services~~ Department. Fencing constructed outside of the building envelope shall be combination solid/view fencing. In addition, all fencing above the 15 percent slope line shall be 100 percent view fencing.

37. ~~That t~~The entire 60-acre site shall have no perimeter fencing, as approved by the
~~29.~~ PLANNING AND Development ~~Services~~ Department.

38. ~~That p~~Private roadways within the R1-18 portion of the site shall be provided with
~~30.~~ ribbon curbs and colored asphalt, as approved by the PLANNING AND Development ~~Services~~ Department.

39. ~~That private roadways within the R1-8 portion of the site shall be provided with a~~
~~31.~~ ~~raised, vertical curb, as approved by the Development Services Department.~~

40. ~~That a~~All HVAC units shall be ground mounted.
~~32.~~

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41. ~~That a~~All street lighting and wall mounted security fixtures shall be full cut off
~~33.~~ lighting. Fixture height shall be a maximum of 12 feet. Street lighting fixtures shall be decorative and have a consistent architectural theme, as approved by the PLANNING AND Development ~~Services~~ Department.

42. ~~That b~~Bollards shall be used for accent lighting at the primary access, entry
~~34.~~ monument, driveways, and trail crossings, as approved by the PLANNING AND Development ~~Services~~ Department. Photovoltaic energy sources for bollard lighting shall be provided.

43. ~~That a~~Any request to delete or modify these stipulations SHALL be preceded by
~~35.~~ A presentation to the Laveen Village Planning Committee (VPC) for review and recommendation, and notification to the following persons two weeks prior to presentation at the VPC:

a. Jon Kimoto, 3216 West Ansell Road, Laveen, 85339

b. Cyd Manning, P.O. Box 41234, Mesa, 85274

c. Judy Brown, P.O. Box 41234, Mesa, 85274

d. Christine Dicken, 10827 South 30th Avenue, Laveen, 85339

e. Richard Birnbaum, 11014 South 35th Avenue, Laveen, 85339

f. Phil Hertel, ~~2300~~ 2845 West Broadway Road, Phoenix, 85041

g. Steven Klein, 6820 South 66th Avenue, Laveen, 85339

44. ~~That t~~The following individuals shall be notified of any and all PLANNING AND
~~36.~~ Development ~~Services~~ Department ~~(DSD)~~ meetings which are open to the public. The applicant shall be responsible for notification to the following via a first-class letter to be mailed at least two weeks prior to the ~~DSD~~ meeting(s):

a. Jon Kimoto, 3216 West Ansell Road, Laveen, 85339

b. Cyd Manning, P.O. Box 41234, Mesa, 85274

c. Judy Brown, P.O. Box 41234, Mesa, 85274

d. Christine Dicken, 10827 South 30th Avenue, Laveen, 85339

e. Richard Birnbaum, 11014 South 35th Avenue, Laveen, 85339

f. Phil Hertel, ~~2300~~ 2845 West Broadway Road, Phoenix, 85041

g. Steven Klein, 6820 South 66th Avenue, Laveen, 85339

45. ~~That a~~All sidewalks, within the R1-8 portion of the site, WHICH ARE
~~37.~~ DEVELOPED ALONG STREETS DEVELOPED AS PUBLIC STREETS OR

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PRIVATE ACCESSWAYS shall be detached with a minimum five-foot wide landscaped strip located between the sidewalk and back of curb and shall include minimum two-inch caliper shade trees planted ~~a minimum rate of~~ 20 feet on center or IN equivalent groupings along both sides of the sidewalk, as approved OR MODIFIED by the PLANNING AND Development ~~Services~~ Department. The landscape strip shall be installed by the developer and maintained by the homeowners' association.

46. ~~That a~~A mix of two and three-inch caliper trees shall be provided within all ~~38.~~ required common open space tracts. With the exception of the open space area adjacent to 35th Avenue, the species of trees provided shall shade 50 percent of the area of the open space at tree maturity, as approved by the PLANNING AND Development ~~Services~~ Department.

47. ~~That only one-story homes shall be located along 35th Avenue.~~
~~39.~~

LOTS ~~52-61 AND 82-83~~ 1-7, LOCATED ALONG 35TH AVENUE AND AS DEPICTED ON THE SITE PLAN DATE STAMPED ~~NOVEMBER 21, 2019~~ MAY 26,2020, ARE LIMITED TO A MAXIMUM BUILDING HEIGHT OF 20 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

48. ~~That a~~A detailed site plan, landscaping plan, elevations, perimeter fence or wall ~~40.~~ plan, lighting plan, and entry monument signage shall be reviewed by the Laveen Village Planning Committee prior to preliminary site plan approval by the PLANNING AND Development ~~Services~~ Department.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-5020, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-5020 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

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

PASSED by the Council of the City of Phoenix this 24th day of June, 2020.

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_____
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)

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EXHIBIT A

LEGAL DESCRIPTION FOR PHO-1-19-- Z-165-06-7(8)

The West half of the South half of the Southeast quarter together with the South half of the Southeast quarter of the Southeast quarter of Section 10, Township 1 South, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

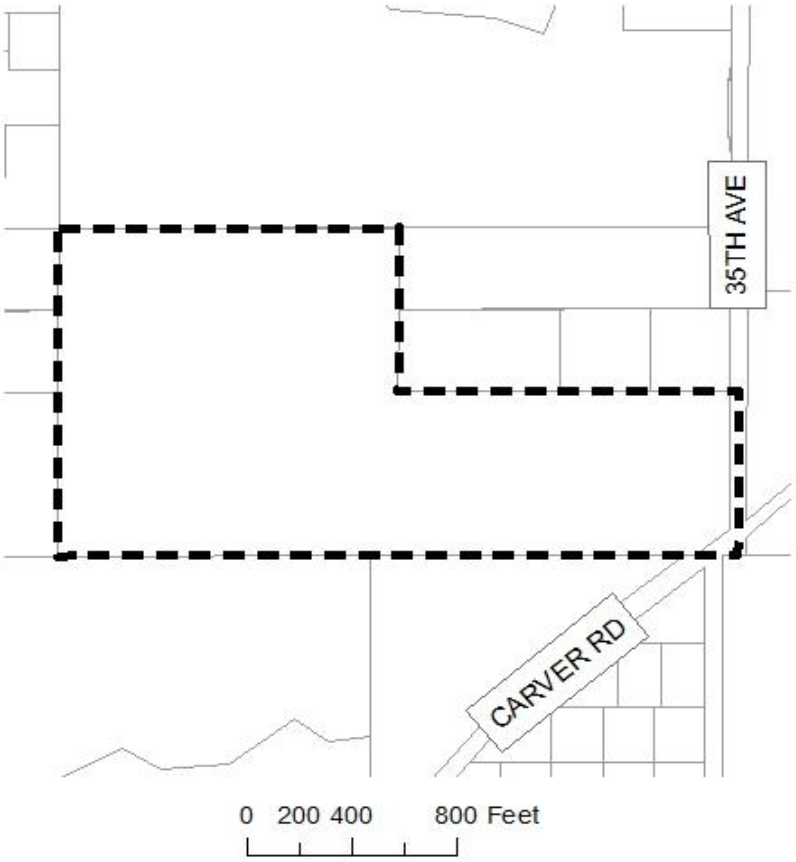
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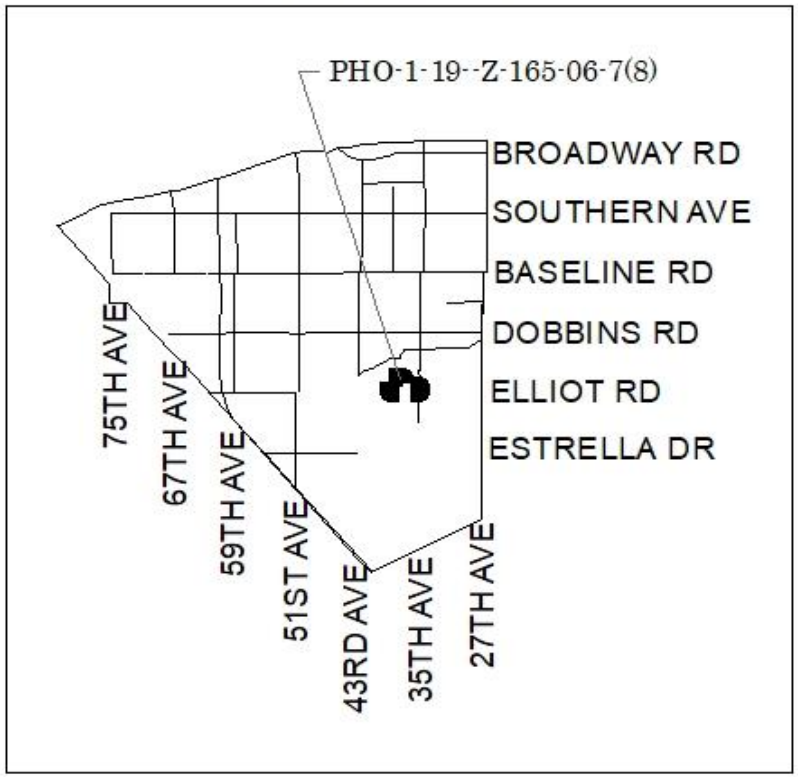
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: PHO-1-19--Z-165-06-7(8)
Zoning Overlay: N/A
Planning Village: Laveen





NOT TO SCALE

Drawn Date: 4/3/2020

\\one\pdd\Shared\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\SuppMaps_OrdMaps\2020_Ord\5-6-20\PHO-1-19--Z-165-06-7(8).mxd

City of Phoenix

Staff Report: Z-165-06-7(8) (PHO-1-19)

APPLICATION: Z-165-06-7(8) (PHO-1-19)

APPLICANT: Jennifer Hall, Rose Law Group

REPRESENTATIVE: Tom Galvin, Rose Law Group

OWNER: Virtua 35th LLC

LOCATION: Northwest corner of 35th Avenue and Carver Road

REQUEST:

1) Modification of Stipulation 1 regarding general conformance to the site plan date stamped October 8, 2007 and elevations date stamped February 20, 2007.

2) Modification of Stipulation 7 regarding the landscape setback adjacent to 35th Avenue.

3) Deletion of Stipulation 19 regarding conditional development approval.

4) Modification of Stipulation 27 regarding height of terraced berms along the quarry cut slope base.

5) Modification of Stipulation 31 regarding raised, vertical curbs within the R1-18 portion of the site.

6) Modification of Stipulation 37 regarding detached sidewalks and landscape strips within the R1-8 portion of the site.

7) Deletion of Stipulation 39 regarding one-story homes along 35th Avenue.

8) Technical corrections to Stipulations 4, 5, 6, 8, 9, 15, 18, 20, 21, 22, 23, 24, 25, 26, 28, 29, 30, 33, 34, 36, 38, 40.

STAFF RECOMMENDATION

It is recommended that this request be denied as filed and approved with modifications and additional stipulations as recommended by the Planning Hearing Officer.

PLANNING HEARING OFFICER RECOMMENDATION

On January 15, 2020, the Planning Hearing Officer (PHO) took this case under advisement. On February 13, 2020 the Planning Hearing Officer took this case out from under advisement and recommended denial as filed and approval with modifications and additional stipulations.

BACKGROUND/ANALYSIS

The subject property is located at the northwest corner of 35th Avenue and Carver Road and consists of approximately 59.48 gross acres. The eastern portion is approximately 20 acres and zoned R1-8. The western portion is approximately 40 acres and zoned R1-18. The applicant's request would only impact stipulations as applied to the eastern portion of the site zoned R1-8.

The conceptual site plan depicts a 92-lot single-family detached residential development at a density of 5.5 dwelling units per gross acre. The proposed layout utilizes a cluster development design, primarily in blocks of four units oriented towards private drives. The conceptual site plan depicts a total of 40.47 percent open space. However, the applicant clarified at the January 15, 2020 PHO hearing that the R1-8 portion would provide a minimum 26 percent open space, after clarifying the City's standards for calculating open space. Amenities will include a tot lot, pool, and open space to be centrally located within the development.

The applicant requested modification of Stipulation 1, regarding general conformance to the stipulated site plan and elevations, to accommodate a new site plan for the R1-8 portion of the site. The applicant proposed that the stipulation also be modified to ensure that the R1-18 portion of the site retain its requirement for conformance with the original stipulated site plan.

The applicant requested modification of Stipulation 7, regarding the landscape setback adjacent to 35th Avenue. The applicant requested to decrease the landscape setback from a 235-foot average and 200-foot minimum setback to a minimum 100-foot setback. The applicant stated that the proposed site plan shifted units further east to reduce the number of proposed lots in the hillside areas at the northwest corner of the site. They stated that the stipulated landscape setback needs to be reduced in order to further mitigate impacts on the hillside area.

The applicant requested deletion of Stipulation 19, regarding conditional development approval. The applicant stated that the deletion of this stipulation would not change the integrity of the project. Additionally, the original rezoning case was approved by ordinance adoption and the zoning of the site was vested with the adoption of that ordinance.

The applicant requested modification of Stipulation 27, regarding the height of terraced berms along the quarry cut slope base, and proposed that the stipulated minimum 8-foot

terrace height be modified to permit a maximum 8-foot terrace height. They noted that reduced terrace heights would be more consistent with the natural environment.

The applicant requested modification of Stipulation 31, regarding raised, vertical curbs within the R1-18 portion of the sire, arguing that the community will be private and will implement the City's standard for private accessways, which depicts rolled curbs.

The applicant requested modification of Stipulation 37 regarding detached sidewalks and landscape strips within the R1-8 portion of the site. Their proposed modification would remove the requirement for detached sidewalks and enhanced planting standards. Instead, the proposal would permit five-foot wide attached sidewalks throughout the development. The applicant noted that mature trees would thrive in a natural environment versus a constrained five-foot landscape strip. They also noted that the proposal would include multi-use trails within the development.

The applicant requested deletion of Stipulation 39, regarding one-story homes along 35th Avenue arguing that the stipulation language is unclear, and it does not clearly define what distance or location along 35th Avenue the prohibition would apply to. The applicant also noted that elimination of the stipulation would allow all buildings in the development to adhere to the height restrictions for R1-8 zoning.

PREVIOUS HISTORY

On December 15, 2006, the Phoenix City Council approved the rezoning request from S-1 (Ranch or Farm Residence) to R1-18 (Single-Family Residence) and R1-8 (Single-Family Residence) on an approximately 59-acre property located at the northwest corner of 35th Avenue and Carver Road, subject to stipulations.

The applicant's initial application consisted of both RE-35 and R-2 zoning. The conceptual site plan depicted a gated, mixed residential community including 22 one-acre hillside lots (RE-35) with custom homes, 55 townhome units (R-2), and 81 condominiums (R-2) totaling 158 dwelling units for the site and an overall project density of approximately 2.6 dwelling units per acre. The custom home lots were to be sold and developed on an individual basis. The custom home lots would be accessible via 39th Avenue or through the eastern portion of the site via 35th Avenue. Ingress and egress along 39th Avenue was intended to be gated since the primary entrance would be from 35th Avenue.

The application was modified and ultimately approved for R1-18 on the western 39.6-acre portion of the site and R1-8 on the eastern 19.4-acre portion of the site. The stipulated site plan depicted 121 dwelling units on 59 acres with an overall site density of 2.05 dwelling units per acre. There were no changes to the layout of homes on the R1-18 portion of the site, but the new plan now depicted 99 single-family, villa style units on the R1-8 portion. The villa concept consisted of four detached units surrounding a central courtyard with garage access around a shared driveway at the rear of each unit.

The eastern R1-8 portion of the site contains the remnants of an abandoned gravel mine site. The applicant argued that the area was being developed with a higher density residential product to rehabilitate the damaged site area. The detached villa product was also viewed by the developer as an opportunity to enhance the residential diversity in the Laveen area. Additionally, the higher density villa product was supported by staff given the costly development associated with the mine. The applicant stated that site is risky regarding development and would have to remove hazardous debris, import dirt to level the site, and provide infrastructure improvements.

Numerous residents opposed the proposed density on the eastern portion of the site and spoke in opposition at various meetings and hearings. Approximately 30 emails or letters were received that discussed context, compatibility, and traffic conditions. Residents stated that they wanted responsible development and adherence to the general plan of Residential 0 to 1 dwelling units per acre. Residents also noted that there was a lack of communication with the community. The applicant stated that it was difficult to reach a resolution because there was no common ground between the developer and the neighborhood and he was not willing to decrease the proposed density.

NEIGHBORHOOD CONCERNS

Correspondence

Ninety-eight letters of opposition were received regarding this request. Concerns expressed in the correspondence include the following:

- The City of Phoenix needs to enforce Ordinance G-5020, which requires zoning to be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violated City Zoning Ordinance (83 emails);
- Amend the General Plan to reflect Residential 0 to 1 and Parks/Open Space (83 emails);
- Stipulation 19 protects the neighbors and community from high density development that does not fit the area (83 emails);
- Proposed density is too high for the area (5 emails);
- City officials and City Council members should advocate for Laveen residents and consider how residents will be negatively impacted (1 email);
- Approval of the case would indicate corruption between the builder and government officials (2 emails);
- Two-story development will halt the appeal and devalue the real-estate in the area (2 emails);
- No notice was received by mail (1 email);
- City signage at the site is hidden, illegible, and ineffective (2 emails);
- The proposal does not address dangerous road conditions on Carver Road (4 emails);
- Density greater than two houses per acre has ruined the rural character of Laveen (4 emails);
- The subject property is in the path of flood waters (4 emails);

- The proposed development will increase traffic, consume resources, and increase noise (3 emails);
- The applicant is not providing elevations (1 email);
- Any buildings within 200 feet of the eastern property line should be limited to one story with a maximum height of 20 feet (1 email); and
- The developer should provide an Environmental Impact Study (1 email).

GENERAL PLAN DESIGNATION

Parks/Open Space – Future 1 dwelling unit per acre, Residential 3.5 to 5 dwelling units per acre, and Residential 0 to 1 dwelling units per acre

CHARACTER OF SURROUNDING LAND USE

	Zoning	Land Use
On-site:	R1-18, R1-8	Former mine, vacant land
North:	S-1, R1-18 PRD	Vacant land
South: residential	R1-18, County	Vacant land, single-family
East:	County	Vacant agricultural land, single-family residential
West:	County	Vacant land, single-family residential

DEPARTMENT REVIEW COMMENTS

Archaeology

The City of Phoenix Archaeology Office (CAO) recommends archaeological survey of the western portion of the project area to current professional standards. Archaeological survey is stipulated under the original zoning case (Z-165-06) approved by the City Phoenix Council on October 10, 2007. Additional archaeological work such as data testing excavations or monitoring may be necessary based upon the results of the survey. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist.

This work is recommended in order to assist the project proponent in complying with the State Burial Law, ARS 41-865, and Chapter 8, Section 802[B2] of the City's Historic Preservation Ordinance.

Aviation

No response.

Fire Prevention
Fire prevention does not anticipate any problems with this case. The site or/and building(s) shall comply with the Phoenix Fire Code.

Also, we do not know what the water supply (GPM and PSI) is at this site. Additional water supply may be required to meet the required fire flow per the Phoenix Fire Code.

Floodplain Management
We have determined that the project is not located in a Special Flood Hazard Area (SFHA) but is located in a Shaded Zone X, on panel 2660 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013. Based on the project information provided, there are no Floodplain Management requirements to fulfill.

Light Rail
No response.

Parks and Recreation
Parks and Recreation Department would require that the developer/owner dedicate a 30-foot-wide multi-use trail easement (MUTE) along the west side of 35th Avenue and the north side of Carver Road and construct a 10-foot-wide multi-use trail (MUT) within the easement as indicated in Section 429 of the City of Phoenix MAG Supplement.

Public Transit
No comments.

Street Transportation
1. The developer shall provide a primary roadway from 35th Avenue extended to the western property boundary, as approved by the Planning and Development Department.

2. The primary roadway connecting 35th Avenue to the western edge of the property line shall terminate as a stub street to the adjacent undeveloped land to the west to provide for a future vehicular connection.

3. The proposal shall eliminate the stipulation related to rolled and vertical curbs.

4. The developer shall dedicate right-of-way as determined by Maricopa County Department of Transportation (MCDOT) for 35th Avenue and as approved by Planning and Development Department.

5. The developer shall dedicate right-of-way as determined by Maricopa County Department of Transportation (MCDOT) for Carver Avenue and as approved by Planning and Development Department.

Pedestrian Safety Coordinator - Street Transportation Department, Traffic Services Division

The development should include detached sidewalks along Carver Road and along 35th Avenue. The south side of Carver Road has a canal and restrictive barriers, which would make it likely for pedestrians to use the north side of the road. The east side of 35th Avenue is county jurisdiction, making it unlikely for any future development to include detached sidewalks on the east side of 35th Avenue. The speed limit on both roads is 45 mph but we often receive complaints from residents in this area that these speed limits are not respected, and people go 15 and 20 miles over the speed limit. This condition is aggravated by the road slopes and overall darker conditions in this area. Therefore, in order to provide a safer environment for pedestrians the developer should include detached sidewalks with a generous landscaped buffer between the sidewalk and the road.

Water Services
New public water mains required per the Carver Mountain Master Plan. This project falls within pressure Zone 2S. Anew Zone 2S, 12-inch main shall be required from the existing 12-inch water main east of the proposed project (approximately 2,200 linear feet) within Elliot Road, west to 35th Avenue, north on 35th Avenue crossing the canal and then northeast within the Carver Road alignment (north side of canal) and tie into the existing 12-inch main within 27th Avenue. The existing 8-inch main within the Carver Road alignment west of 27th Ave will need to be replaced by the new 12-inch main. A 12-inch 2S main will also need to be extended north on 35th Avenue along the frontage of the proposed project. All onsite water will have to remain private, owned and maintained by the homeowners.

All onsite sewer will have to remain private, owned and maintained by the homeowners. The closest available sewer is approximately 2,800 linear feet north of the proposed project. Given topography of the area to reach this available sewer, a private lift station and private force main will be required. There is another available sewer main within 43rd Avenue just north of the Elliot Canal but would require crossing several private properties with the private force mains. Another option is to build a gravity sewer from the proposed project west along Carver Road to 51st Avenue and then north to Dobbins Road and 51st Avenue.

Standard Note Applies:
Please be advised that capacity is a dynamic condition that can change over time due to a variety of factors. It is the City's intent to provide water and sewer service. However, the requirements and assurances for water and sewer service are determined during the site plan application review. 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.

EXISTING WATER
Water mains: No Services

Services: City map shows none

EXISTING SEWER
Sewer mains: No Services

SERVICES
City map shows none

REPAYMENT: N/A

VILLAGE PLANNING COMMITTEE RECOMMENDATION

The Laveen Village Planning Committee (VPC) heard this case on January 13, 2020 and recommended denial by a vote of 11-0. The Laveen VPC motion also included a request that the Planning Hearing Officer recommend to the Planning Commission to initiate a zoning reversion for the site.

PLANNING HEARING OFFICER FINDINGS

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

1) The subject property of this request includes the entire 59 acres that comprised the original rezoning case. However, the applicant only submitted plans addressing the approximately 19.4 acres of R1-8 zoned property on the eastern portion of the site, adjacent to 35th Avenue. Modifications are recommended to the applicant's request to ensure that the existing stipulations on the approximately 39.6 acres of R1-18 zoned property on the western portion of the site are not modified or deleted. Additionally, the applicant did not submit elevations with the request. The original stipulations included a general conformance requirement for building elevations. A modification is recommended to the applicant's request to require a future Planning Hearing Officer application for review of conceptual building elevations.

2) The stipulated site plan depicted 99 detached single-family units arranged in clusters of two and four, oriented towards common courtyards. There are also seven free-standing units depicted at the northwest corner of the site partially in the hillside-designated area. The proposed conceptual site plan depicts 92 units in a similar cluster-style arrangement. However, the units have been shifted east on the property, reducing the total massing of development in the designated hillside areas. Additionally, the homes are not oriented towards courtyards and instead include larger private driveways in the front yards. There is more open space preserved in the hillside area in the northwest portion of the site. There is also more open space adjacent to the private accessways (Tract "A") which separates the homes from the streets. Because the homes are closer to 35th Avenue, there is less open space provided along the east property line. See Finding #3 for a more detailed description of the recommendation for minimum open space and Finding #4 regarding the landscape setback on 35th Avenue.

3) An additional stipulation is recommended to require the developer provide a minimum of 26% open space, of which a minimum of 12% shall be usable open

space. The conceptual site plan depicts 40.47% open space. However, there is no open space exhibit and the applicant indicated that a recalculation was necessary to adequately represent provided open space in the hillside area, setbacks, and other locations. The provision of 26% open space is compatible with the rural character of the surrounding area, consistent with other recent zoning actions in the Village, and significantly exceeds existing Ordinance standards.

4) The proposed reduction of the landscape setback on 35th Avenue from 235 feet (average) to minimum 100 feet accommodates the relocation of some residential units out of the designated hillside areas, consistent with the City approved slope analysis. The preservation of the hillside area will contribute to the rural character of the site and maintain this unique natural feature of the property. See Finding #9 regarding the restoration of the disturbed area on the abandoned gravel mine that occupies a portion of the remainder of the site.

5) Approximately 2,300 feet to the east of the subject property are the Hangar Hacienda Units One, Two, and Three subdivisions. These properties are in Maricopa County jurisdiction. These communities are oriented around an air strip utilized by residents who own private aircraft. Based on comments from a resident in this community, the typical flight path runs directly over the subject property of this request. An additional stipulation is recommended regarding notification of the aviation uses on these properties for future residents.

6) The subject property is archaeologically sensitive. Three additional stipulations are recommended which outline the City's requirements regarding data testing, data recovery, and archaeological assessments and survey.

7) The public right-of-way along 35th Avenue and a small portion along Carver Road is in Maricopa County Department of Transportation (MCDOT) jurisdiction. There is also an active drainage project along the roadway. Therefore, additional stipulations are recommended to acknowledge that MCDOT shall determine the final width and dedications needed for the portion of right-of-way adjacent to the subject property. City of Phoenix Street Transportation staff noted that in discussions with MCDOT staff, MCDOT does not have immediate concerns regarding the location of proposed retention areas shown on the conceptual site plan in regard to the drainage project.

8) Original Stipulation 19 states that approval shall be conditioned upon the development commencing within 48 months of the City Council approval. For properties with similar stipulations, the Planning and Development Department has required that a Planning Hearing Officer (PHO) action be pursued to modify or delete these conditions at the time that development is proposed, if the proposed development has exceeded the timeframe identified in the stipulation. The applicant is pursuing this process through their request for deletion of the stipulation. The modification or deletion of this stipulation through a PHO action is

unrelated to the zoning reversion process which is a separate public hearing process that is described in Section 506 of the Zoning Ordinance.

The applicant's request for deletion of original Stipulation 19 is recommended for approval. The current proposal is consistent with the City Council's original intent to see the subject property redevelop with a single-family residential land use in the R1-8 zoning district. Additionally, the request is consistent with City Council approved General Plan Amendment GPA-LV-1-08-7, which established a Residential 3.5 to 5 dwelling units per gross acre land use designation on the approximately 19.35 acres that comprises the R1-8 zoned portion of the property. Both the proposed conceptual site plan, as modified by this recommendation, and the existing R1-8 zoning designation are consistent with this land use designation.

9) Original Stipulation #27, requiring terraced berms planted with deciduous trees, may result in an environment that contrasts with the natural landscape of the existing hillside in the surrounding area. The stipulated terraced berm configuration is not consistent with the irregular natural landscape of the existing hillside in the surrounding area and there are no deciduous trees on hillside locations in the immediate vicinity. Proposals for fill are commonly intended to continue and promote a natural slope line, rather than creating terracing and other unnatural finishes.

   There are a variety of alternatives to the stipulated requirement for terraced berms that may be considered for the site that would result in a more natural aesthetic to the restored hillside. These include chemical treatments and coloration to remove or camouflage scarring, hydroseeding of the slope to provide a mixture of natural grasses and plants which may also stabilize the slope, and roughening the cut or restored slope to integrate pockets for additional native landscaping.

   Modified stipulation language is recommended to allow the applicant to work with City staff on an alternative approach to restoring the quarry cut slope base to promote a more natural landscape along the hillside.

10) The provision of detached sidewalks is consistent with numerous City policy plans. 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. Additionally, the City Council adopted Guiding Principles for Complete Streets seeks to make Phoenix more walkable by promoting a safe and inviting pedestrian environment that encourages walkability and thermal comfort. These principles are also expressed and expanded upon throughout the 2015 General Plan.

    Therefore, the applicant's request to delete this requirement and instead stipulate a 5-foot sidewalk width is recommended for denial. However, the street layout on the proposed conceptual site plan may require the utilization of both private drives (between units) and private accessways (Tract "A"). There are different technical

requirements and cross sections for these street types and it may be difficult to integrate detached sidewalks along both sides of private drives.
A modification of the applicant's request is recommended to require that detached sidewalks shall be provided, as originally stipulated, along all streets that are developed as public streets or private accessways.

11) The Street Transportation Department noted that both original Stipulation 31 and the applicant's proposed modified language may create conflicts if the development is to include both attached and detached sidewalks. The City of Phoenix standard detail for detached sidewalks along private accessways requires vertical curbs. Attached sidewalks may be permitted to provide rolled curbs. Deletion of the stipulation will allow the appropriate detail to be utilized based on the final configuration of sidewalks at appropriate locations throughout the development.

12) Original Stipulation 39 required that homes along 35th Avenue would be limited to one-story. The stipulation did not specify a maximum building height. Additionally, it is unclear whether the stipulation was intended to apply to the individual units located closest to 35th Avenue or the entire clusters. The original stipulation may permit a variety of building heights and locations for height-restricted lots.

However, the intent of the stipulation was to mitigate the impacts of building height for units closest to 35th Avenue and would have impacted homes at approximately 235 feet (the stipulated average setback in original Stipulation 7). This remains a valid concern and consistent with the design of other recent projects in the Village. Therefore, the applicant's request for deletion of this stipulation is recommended for denial. An alternative stipulation is proposed that limits maximum building height to 20 feet for the 12 lots that are located within approximately 235 feet of 35th Avenue. This recommendation is intended to clarify the limitation on building height and identify the specific lots impacted.

PLANNING HEARING OFFICER RECOMMENDED STIPULATIONS

General	
~~1.~~	~~That development shall be in general conformance with the site plan date stamped October 8, 2007, and elevations date stamped February 20, 2007, as modified by the following stipulations, and as approved by the Development Services Department.~~
1.	THE R1-8 DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED NOVEMBER 21, 2019, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT, AND WITH SPECIFIC REGARD TO THE FOLLOWING:

	A.	THE DEVELOPER SHALL PROVIDE A PRIMARY ROADWAY FROM 35TH AVENUE EXTENDED TO THE WESTERN PROPERTY BOUNDARY, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
	B.	THE PRIMARY ROADWAY CONNECTING 35TH AVENUE TO THE WESTERN EDGE OF THE PROPERTY LINE SHALL TERMINATE AS A STUB STREET TO THE ADJACENT UNDEVELOPED LAND TO THE WEST TO PROVIDE FOR A FUTURE VEHICULAR CONNECTION.
2.	CONCEPTUAL ELEVATIONS FOR THE R1-8 DEVELOPMENT SHALL BE REVIEWED AND APPROVED BY THE PLANNING HEARING OFFICER THROUGH THE PUBLIC HEARING PROCESS FOR STIPULATION MODIFICATION PRIOR TO PRELIMINARY SITE PLAN APPROVAL. THIS IS A LEGISLATIVE REVIEW FOR CONCEPTUAL PURPOSES ONLY. SPECIFIC DEVELOPMENT STANDARDS AND REQUIREMENTS MAY BE DETERMINED BY THE PLANNING HEARING OFFICER AND THE PLANNING AND DEVELOPMENT DEPARTMENT.	
3.	THE R1-18 DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED OCTOBER 8, 2007, AND ELEVATIONS DATE STAMPED FEBRUARY 20, 2007, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.	
4. ~~2.~~	~~That d~~Development of the R1-18 portion of the site shall not exceed 22 lots.	
5. ~~3.~~	~~That d~~Development of the R1-8 portion of the site shall not exceed a density of 99 lots.	
6.	THE R1-8 DEVELOPMENT SHALL PROVIDE A MINIMUM OF 26% OPEN SPACE, OF WHICH A MINIMUM OF 12% SHALL BE USABLE OPEN SPACE, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.	
Site Design		
7. ~~4.~~	~~That u~~Unobstructed pedestrian access (for the purpose of private pedestrian connectivity internal to the site) between the R1-18 and R1-8 portions of the site shall be provided, as approved by the PLANNING AND Development ~~Services~~ Department.	
8. ~~5.~~	~~That n~~No solid wall in excess of three feet in height as measured from the finished grade, shall be located on the site (either in private lots or common tracts) except	

	that solid walls greater than three feet in height shall be allowed for the following purposes, as approved by the PLANNING AND Development ~~Services~~ Department.	
	a.	Walls utilized to screen utilities, trash enclosures, or other facilities generally considered to be visually obtrusive.
	b.	Retaining wall.
9. ~~6.~~	~~That n~~No more than 60,000 square feet of natural turf area shall be located within the common areas of the R1-8 portion of the site (this requirement does not apply to synthetic turf); if provided, common area natural turf should be centrally located and grouped so as to create one contiguous natural turf recreation area, as approved by the PLANNING AND Development ~~Services~~ Department.	
10. ~~7.~~	~~That a 235-foot (average), 200-foot (minimum)~~ THE DEVELOPMENT SHALL PROVIDE A MINIMUM 100 FOOT landscaped setback ALONG THE EAST PROPERTY LINE ~~adjacent to 35th Avenue~~ ~~shall be provided~~, as approved by the PLANNING AND Development ~~Services~~ Department.	
11. ~~8.~~	~~That a~~ A 50-foot (minimum) landscaped setback adjacent to Carver Road (final alignment) shall be provided, as approved by the PLANNING AND Development ~~Services~~ Department.	
12. ~~9.~~	~~That t~~Those portions of spider and jeep trails which are not part of the approved grading envelopes, access drives, or other necessary site disturbance related to the proposed development of the R1-8 portion of the site shall be re-vegetated in a manner consistent with adjacent undisturbed vegetation, as approved by the PLANNING AND Development ~~Services~~ Department.	
Disclosures		
13. ~~10.~~	~~That p~~Prior to final site plan approval, the property owner shall record documents that disclose to tenants of the site or purchasers of property within the site, the existence, proximity, and operational characteristics of active agricultural uses and non-domesticated animal keeping. 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.	
14.	THAT PRIOR TO FINAL SITE PLAN APPROVAL, THE PROPERTY OWNER SHALL RECORD DOCUMENTS THAT DISCLOSE TO TENANTS OF THE SITE OR PURCHASERS OF PROPERTY WITHIN THE SITE, THE EXISTENCE, PROXIMITY, AND OPERATIONAL CHARACTERISTICS OF ACTIVE AVIATION USES IN THE HANGAR HACIENDAS UNITS ONE, TWO, AND THREE SUBDIVISIONS LOCATED APPROXIMATELY 2,300 FEET TO THE EAST OF	

	THE SUBJECT PROPERTY IN MARICOPA COUNTY. 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.
Parks and Recreation	
15. ~~11.~~	~~That t~~The developer shall dedicate a multi-use trail easement and construct a multi-use trail, per adopted standards, along the north side of Carver Road, as approved by the Parks and Recreation Department.
Archaeology	
16. ~~12.~~	~~That t~~The applicant shall complete an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, or grading.
17.	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.
18.	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.
19.	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.
Street Transportation	
20. ~~13.~~	~~That r~~Right-of-way totaling 55 feet shall be dedicated for the west half of 35th Avenue, as approved by the Street Transportation Department. 35th Avenue shall be constructed using rural streets standards similar to Dobbins Road, as approved by the Street Transportation Department.
21.	~~That r~~Right-of-way totaling 55 feet shall be dedicated for the west half of Carver

~~14.~~	Road, as approved by the Street Transportation Department. Carver Road shall be constructed using rural streets standards similar to Dobbins Road, as approved by the Street Transportation Department.
22.	THE DEVELOPER SHALL DEDICATE RIGHT-OF-WAY FOR 35TH AVENUE AS DETERMINED BY THE MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION (MCDOT) AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
23.	THE DEVELOPER SHALL DEDICATE RIGHT-OF-WAY FOR CARVER ROAD AS DETERMINED BY THE MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION (MCDOT) AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
24. ~~15.~~	~~That a~~A traffic impact study shall be submitted to, and approved by, the Street Transportation Department prior to PLANNING AND Development ~~Services~~ Department preliminary site plan approval. That all right-of-way dedications and associated infrastructure improvements as recommended by the traffic impact study shall be installed by the developer, as approved by the PLANNING AND Development ~~Services~~ Department.
25. ~~16.~~	~~That t~~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 modified by these stipulations, and as approved by the Street Transportation Department. All improvements shall comply with all AmericanS with Disabilities Act accessibility standards.
26. ~~17.~~	~~That t~~The applicant shall complete and submit the Developer Project Information Form for the Maricopa Association of Governments Transportation Improvement Program. This form is a requirement of the Environmental Protection Agency to meet clean air quality requirements.
27. ~~18.~~	~~That p~~Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims utilizing the provided template. The waiver shall be recorded with the Maricopa County Recorder's Office and a copy shall be provided to the PLANNING AND Development ~~Services~~ Department for the case files.
~~19.~~	~~That approval shall be conditional upon the development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of the building walls on site.~~
Neighborhood	

28. ~~20.~~	~~That b~~Building pad cuts shall be terraced if more than 6 feet in height and treated with a stain, gunnite, or equivalent finish, as approved by the PLANNING AND Development ~~Services~~ Department.
29. ~~21.~~	~~That a~~All two story homes, within the R1-18 portion of the site, shall be designed in a manner such that the square footage of the second story floor area does not exceed 66 percent of the first story floor area does not exceed 66 percent of the first story floor area, as approved by the PLANNING AND Development ~~Services~~ Department.
30. ~~22.~~	~~That c~~Concrete channels shall be designed to look natural in the desert setting through color, texture, landscaping, or other means, as approved by the PLANNING AND Development ~~Services~~ Department.
31. ~~23.~~	~~That t~~The use of riprap and engineered culverts shall be minimized and, where utilized, shall be integrated with the desert setting through color, texture, soil plating, landscaping, or other means, as approved by the PLANNING AND Development ~~Services~~ Department. To the extent possible, culverts shall be undersized to allow minor flows (10 cfs or smaller) to cross roadways in their natural condition.
32. ~~24.~~	~~That w~~Washes with a one-hundred-year peak flow of 200 cfs or greater shall be preserved and enhanced with native vegetation as described in Appendix A, Approved Plant Species List for Sonoran Preserve Edge Treatment Guidelines, as approved by the PLANNING AND Development ~~Services~~ Department.
33. ~~25.~~	~~That l~~Lots with 2 or more sides abutting undisturbed open space shall be designed with obtuse angles, rather than right angles or acute angles, as approved by the PLANNING AND Development ~~Services~~ Department.
34. ~~26.~~	~~That o~~On non-hillside lots within the R1-18 portion of the development, all improvements, including driveways, landscaping, and underground utilities shall be located within a building envelope occupying no more than 50 percent of the lot up to a maximum of 20,000 square feet, whichever is less, as approved by the PLANNING AND Development ~~Services~~ Department.
35. ~~27.~~	~~That a~~ A minimum of three terraced berms with 2:1 fill slopes shall be installed along the full length of the quarry cut slope base. The terraces shall BE LIMITED TO A MAXIMUM HEIGHT OF ~~be~~ 8 feet ~~tall, minimum,~~ and shall be PLANTED ~~plated~~ with a staggered combination of 2-inch and 4-inch caliper, drought resistant, deciduous trees at 25 feet ON center OR IN EQUIVALENT GROUPINGS ~~to center~~, as approved OR MODIFIED by the PLANNING AND Development ~~Services~~ Department.

	THE DEVELOPER MAY ALSO IMPLEMENT ALTERNATIVE SOLUTIONS FOR THE NATURALIZING AND BLENDING OF THE QUARRY CUT SLOPE WITH THE ADJACENT UNDISTURBED HILLSIDE AREA, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.	
36. ~~28.~~	~~That s~~Solid block walls, except for retaining walls or privacy fencing on individual lots, shall not be constructed outside of the building envelopes for the R1-18 portion of the site, as approved by the PLANNING AND Development ~~Services~~ Department. Fencing constructed outside of the building envelope shall be combination solid/view fencing. In addition, all fencing above the 15 percent slope line shall be 100 percent view fencing.	
37. ~~29.~~	~~That t~~The entire 60-acre site shall have no perimeter fencing, as approved by the PLANNING AND Development ~~Services~~ Department.	
38. ~~30.~~	~~That p~~Private roadways within the R1-18 portion of the site shall be provided with ribbon curbs and colored asphalt, as approved by the PLANNING AND Development ~~Services~~ Department.	
39. ~~31.~~	~~That private roadways within the R1-8 portion of the site shall be provided with a raised, vertical curb, as approved by the Development Services Department.~~	
40. ~~32.~~	~~That a~~All HVAC units shall be ground mounted.	
41. ~~33.~~	~~That a~~All street lighting and wall mounted security fixtures shall be full cut off lighting. Fixture height shall be a maximum of 12 feet. Street lighting fixtures shall be decorative and have a consistent architectural theme, as approved by the PLANNING AND Development ~~Services~~ Department.	
42. ~~34.~~	~~That b~~Bollards shall be used for accent lighting at the primary access, entry monument, driveways, and trail crossings, as approved by the PLANNING AND Development ~~Services~~ Department. Photovoltaic energy sources for bollard lighting shall be provided.	
43. ~~35.~~	~~That a~~Any request to delete or modify these stipulations SHALL be preceded by A presentation to the Laveen Village Planning Committee (VPC) for review and recommendation, and notification to the following persons two weeks prior to presentation at the VPC:	
	a.	Jon Kimoto, 3216 West Ansell Road, Laveen, 85339
	b.	Cyd Manning, P.O. Box 41234, Mesa, 85274
	c.	Judy Brown, P.O. Box 41234, Mesa, 85274

	d.	Christine Dicken, 10827 South 30th Avenue, Laveen, 85339
	e.	Richard Birnbaum, 11014 South 35th Avenue, Laveen, 85339
	f.	Phil Hertel, ~~2300~~ 2845 West Broadway Road, Phoenix, 85041
	g.	Steven Klein, 6820 South 66th Avenue, Laveen, 85339
44. ~~36.~~	~~That t~~The following individuals shall be notified of any and all PLANNING AND Development ~~Services~~ Department ~~(DSD)~~ meetings which are open to the public. The applicant shall be responsible for notification to the following via a first-class letter to be mailed at least two weeks prior to the ~~DSD~~ meeting(s):	
	a.	Jon Kimoto, 3216 West Ansell Road, Laveen, 85339
	b.	Cyd Manning, P.O. Box 41234, Mesa, 85274
	c.	Judy Brown, P.O. Box 41234, Mesa, 85274
	d.	Christine Dicken, 10827 South 30th Avenue, Laveen, 85339
	e.	Richard Birnbaum, 11014 South 35th Avenue, Laveen, 85339
	f.	Phil Hertel, ~~2300~~ 2845 West Broadway Road, Phoenix, 85041
	g.	Steven Klein, 6820 South 66th Avenue, Laveen, 85339
45. ~~37.~~	~~That a~~All sidewalks, within the R1-8 portion of the site, WHICH ARE DEVELOPED ALONG STREETS DEVELOPED AS PUBLIC STREETS OR PRIVATE ACCESSWAYS shall be detached with a minimum five-foot wide landscaped strip located between the sidewalk and back of curb and shall include minimum two-inch caliper shade trees planted ~~a minimum rate of~~ 20 feet on center or IN equivalent groupings along both sides of the sidewalk, as approved OR MODIFIED by the PLANNING AND Development ~~Services~~ Department. The landscape strip shall be installed by the developer and maintained by the homeowners' association.	
46. ~~38.~~	~~That a~~A mix of two and three-inch caliper trees shall be provided within all required common open space tracts. With the exception of the open space area adjacent to 35th Avenue, the species of trees provided shall shade 50 percent of the area of the open space at tree maturity, as approved by the PLANNING AND Development ~~Services~~ Department.	

47. ~~39.~~	~~That only one-story homes shall be located along 35th Avenue.~~ LOTS 52-61 AND 82-83, LOCATED ALONG 35TH AVENUE AND AS DEPICTED ON THE SITE PLAN DATE STAMPED NOVEMBER 21, 2019, ARE LIMITED TO A MAXIMUM BUILDING HEIGHT OF 20 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
48. ~~40.~~	~~That a~~A detailed site plan, landscaping plan, elevations, perimeter fence or wall plan, lighting plan, and entry monument signage shall be reviewed by the Laveen Village Planning Committee prior to preliminary site plan approval by the PLANNING AND Development ~~Services~~ Department.

PLANNING HEARING OFFICER RECOMMENDATION

It is recommended that this request be denied as filed and approved with modifications and additional stipulations as recommended by the Planning Hearing Officer.

ATTACHMENTS

A – Appeal Documents (4 pages)
B – Applicant's Narrative (4 pages)
C – Aerial Map (1 page)
D – Zoning Map (1 page)
E – Ordinance G-5020 from Rezoning Case No. Z-165-06-7 (11 pages)
F – Sketch Map from Rezoning Case No. Z-165-06-7 (1 page)
G – Proposed Site Plan date stamped November 21, 2019 (3 pages)
H – Stipulated Site Plan date stamped October 8, 2007 (1 page)
I – Stipulated Elevations (2 pages)
J – Laveen Village Planning Committee Minutes (13 pages)
K – PHO Summary for Z-165-06-7(8) (PHO-1-19) (18 pages)
L – Correspondence (191 pages)

ATTACHMENT A

PLANNING HEARING OFFICER APPEAL

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

APPLICATION NO:	PHO-1-19--Z-165-06-7(8)		
LOCATION:	Northwest corner of 35th Avenue and Carver Road		
PHO HEARING DATE:	1/15/20 (UA 2/13/20)	**RECEIVED:**	2/14/20
APPEALED BY:	☒ Opposition	☐ Applicant	
APPEALED TO:	**PLANNING COMMISSION**	4/2/20 **TENTATIVE DATE**	
	CITY COUNCIL	**TENTATIVE DATE**	

NAME/ADDRESS/CITY/STATE/ZIP	**PHONE #**
Cyd Manning 3220 West Ceton Drive Laveen, Arizona 85339	480-747-0769

RECEIPT NUMBER:	

REASON FOR REQUEST:

The City of Phoenix is in violation of its own Zoning Ordinance and is bound to enforce Ordinance G-5020--Z-165-06-7. The zoning on this property expired October 2011 and is technically S-1. Stipulation 19 was approved with the original case to protect the community from the R1-8 spot zoning that was clearly inconsistent with the area in 2007 and is clearly inconsistent today. Deleting Stipulation 19 is negligence in enforcement. The Planning Commission & City Council can and should immediately correct the violation and codify the zoning reversion to S-1 and realign the General Plan, prior to hearing any requested action on this case. The applicant states they will sue the City if they don't get what they want regarding deleting Stipulation 19. No one is above the law.

Taken By:	Radesha Williams

c: Ben Ernyei – Posting
Benjamin Kim, IS
PDD All

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CITY OF PHOENIX

FEB 1 4 2020

Planning & Development Department

City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

1/15/20 - Z-165-06-7(8)
Taken out from under

The **PLANNING HEARING OFFICER** agenda for advisement on 2/13/20 is attached.

The City Council May Ratify the Recommendation of the Planning Hearing Officer on March 18, 2020 Without Further Hearing Unless:

- **A REQUEST FOR A HEARING BY THE PLANNING COMMISSION** is filed by 5:00 p.m. on Thursday, February 20, 2020. (There is a **$630.00 fee** for hearings requested by the applicant.)

  Any member of the public may, within seven (7) days after the Planning Hearing Officer's action, request a hearing by the Planning Commission on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m. on Thursday, February 20, 2020.

APPEAL FORM

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

Z-165-06-7(8) (PHO-1-19) — APPLICATION NO

Northwest corner of 35th Avenue and Carver Road — LOCATION OF APPLICATION PROPERTY

Cyd Manning — NAME (PLEASE PRINT)

☒ OPPOSITION ☐ APPLICANT

3220 W. Ceton Drive — STREET ADDRESS

Laveen, AZ 85339 — CITY, STATE AND ZIP CODE

480-747-0769 — TELEPHONE NO

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

APPEALED FROM	1/15/20 - Z-165-06-7(8) Taken out from under advisement on 2/13/20 (DATE)	PHO HEARING TO	4/2/2020 (DATE)	PC HEARING

SIGNATURE: Cyd Manning DATE: Feb. 14, 2020

REASON FOR APPEAL: The City of Phoenix is in violation of its own zoning ordinance and is bound to enforce G-5020 Z-165-06-7. The zoning on this property expired in Oct. 2011 and is technically S-1. Stipulation 19 was approved with the original case to protect the community from the R1-8 spot zoning that was clearly inconsistent with the area in 2007 and is clearly inconsistent today. Deleting Stipulation 19 is negligence in enforcement. The Planning Commission & City Council can and should immediately correct the violation and codify the zoning reversion to S-1 and realign the General Plan prior to hearing any requested action on this case. The applicant states they will sue the City if they don't get what they want regarding deleting Stipulation 19. No one is above the law.

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

PLANNER TAKING APPEAL: Rafaela Williams

Copies to: Case File — PHO Planner – Julianna Pierre — PHO Secretary – Stephanie Vasquez

PLANNING HEARING OFFICER APPEAL

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

APPLICATION NO:	PHO-1-19--Z-165-06-7(8)		
LOCATION:	Northwest corner of 35th Avenue and Carver Road		
PHO HEARING DATE:	1/15/20 (UA 2/13/20)	**RECEIVED:**	2/14/20
APPEALED BY:	☒ Opposition	☐ Applicant	
APPEALED TO:	**PLANNING COMMISSION**	4/2/20 **TENTATIVE DATE**	
	CITY COUNCIL	**TENTATIVE DATE**	

NAME/ADDRESS/CITY/STATE/ZIP	**PHONE #**
Lisa Vializ 8921 South 53rd Drive Laveen, Arizona 85339	602-741-5722

RECEIPT NUMBER:	

REASON FOR REQUEST:

The City of Phoenix is in violation of its own Zoning Ordinance and is bound to enforce Ordinance G-5020--Z-165-06-7. The zoning on this property expired October 2011 and is therefore S-1. Stipulation 19 was approved as part of the original zoning case to protect the community from R-8 spot zoning. That was clearly inconsistent with the area in 2007 and is clearly inconsistent today. Deleting Stipulation 19 is negligence in enforcement. The Planning Commission and City Council can and should immediately correct the violation and codify the zoning reversion to S-1 and align the General Plan with S-1 prior to hearing and requested action on this case. The applicant states they will sue the City if they do not set what they want regarding deleting Stipulation 19. No one is above the law.

Taken By:	Radesha Williams

c: Ben Ernyei – Posting
Benjamin Kim, IS
PDD All

S:\Planning\Rezoning\Hearings\PHO\Appeals\PHO Appeal Form.doc

City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

CITY OF PHOENIX
FEB 14 2020
Planning & Development Department

1/15/20 - Z-165-06-7(8)
Taken out from under
advisement on 2/13/20

The PLANNING HEARING OFFICER agenda for is attached.

The City Council May Ratify the Recommendation of the Planning Hearing Officer on March 18, 2020 Without Further Hearing Unless:

- **A REQUEST FOR A HEARING BY THE PLANNING COMMISSION** is filed by 5:00 p.m. on Thursday, February 20, 2020. (There is a **$630.00 fee** for hearings requested by the applicant.)

  Any member of the public may, within seven (7) days after the Planning Hearing Officer's action, request a hearing by the Planning Commission on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m. on Thursday, February 20, 2020.

APPEAL FORM

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

Z-165-06-7(8) (PHO-1-19) — APPLICATION NO.

Northwest corner of 35th Avenue and Carver Road — LOCATION OF APPLICATION PROPERTY

LISA VIALIZ — NAME (PLEASE PRINT)

☒ OPPOSITION ☐ APPLICANT

8921 S. 53RD PL. — STREET ADDRESS

LAVEEN, AZ 85339 — CITY, STATE AND ZIP CODE

602-741-5722 — TELEPHONE NO

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

APPEALED FROM	1/15/20 - Z-165-06-7(8) Taken out from under advisement on 2/13/20 DATE	PHO HEARING TO	4/2/2020 DATE	PC HEARING

SIGNATURE: [signature] DATE: 2/14/20

THE CITY OF PHX IS IN VIOLATION OF ITS OWN ZONING ORD. AND IS BOUND TO ENFORCE ORD. G5020Z-165-06-7.

REASON FOR APPEAL: THE ZONING ON THIS PROPERTY EXPIRED OCTOBER 2011 AND IS THEREFORE S-1. STIPULATION 19 WAS APPROVED AS PART OF THE ORIGINAL ZONING CASE TO PROTECT THE COMMUNITY FROM R-8 SPOT ZONING THAT WAS CLEARLY INCONSISTENT WITH THE AREA IN 2007 AND IS CLEARLY INCONSISTENT TODAY. DELETING STIPULATION 19 IS NEGLIGENCE IN ENFORCEMENT. THE PLANNING COMMISSION AND CITY COUNCIL CAN AND SHOULD IMMEDIATELY CORRECT THE VIOLATION AND CODIFY THE ZONING REVERSION TO S-1 AND ALIGN THE GENERAL PLAN W/ S-1 PRIOR TO HEARING ANY REQUESTED ACTION ON THIS CASE. THE APPLICANT STATES THEY WILL SUE THE CITY IF THEY DON'T GET WHAT THEY WANT REGARDING DELETING STIPULATION 19.

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

PLANNER TAKING APPEAL: [signature]

Copies to: Case File PHO Planner – Julianna Pierre PHO Secretary – Stephanie Vasquez

NO ONE IS ABOVE THE LAW.

ATTACHMENT B

December 9, 2019

Planning Hearing Officer
City of Phoenix
Planning & Development Department
200 West Washington Street, 2nd Floor
Phoenix, Arizona 85003

RE: Request to modify stipulations for Rezoning Case Z-165-06

Dear Planning Hearing Officer:

Rose Law Group pc on behalf of Virtua 35th LLC (the "Owner") is pleased to request a Stipulation Modification to Ordinance G-5020 (Case Z-165-06-7) for 58.998 acres of real property located on the northwest corner of Carver Rd. and 35th Ave. (the "Property"), APN# 300-11-008V. This request is being made in order to facilitate and rationalize development on a property that has served as a blighted site for decades.

Although the site has been vacant for over a decade, previous land uses included mining activity. Unnatural topography and significant disturbance are testament to the site's history and can still be seen today. Redevelopment of the Property proposes to revitalize the scarred areas while protecting those environmental features that still exist.

The Property is located within Council District 7 and the Village of Laveen. Existing and developing residential communities are located in the surrounding area, including the property adjacent to the site's southern boundary, an approximately 96 acre future residential community. Ancillary roadway and offsite improvements are also anticipated with the development of this site.

The subject zoning case (Z-165-06) was heard and approved by City of Phoenix Council on October 10, 2007 after appearing before Planning Commission and the Laveen Village Planning Committee. The zoning case was approved to rezone approximately sixty acres of S-1 (Ranch or Farm Residence) to forty acres R1-18 (Single-Family Residence) and twenty acres R1-8 (Single-Family Residences). In the original stipulations density per zoning district is stipulated at a maximum of twenty two lots on the R1-18, 40 acre area, and a maximum of 99 lots on the R1-8, 20 acre portion, for a total of 121 lots on approximately 60 acres.

The Owner proposes to maintain the intent of the original zoning case by not modifying those stipulations related to the R1-18 portion, and proposing a similar site plan and density that was approved, with a more practical, sensitive, and luxury approach on the R1-8 portion. Connections to the future community to the south, less units overall, sensitivity and specification on the site's hillside topography, and trail opportunities are

some of the ways the Property owner has holistically designed the site to respond to the community and the environment. The proposed lot dimensions have been updated since the original site plan, but maintains consistency with the conceptual elevations. This responds to market demand while implementing the luxuries of fee simple lots and private amenities.

Many years have passed since the rezoning and most of the surrounding area has changed hands and been partially developed. Subsequently some of the stipulations imposed as conditions of the zone change are no longer relevant or practical. Accordingly, the applicant believes that is appropriate to modify Z-165-06 stipulations and request modifications and deletions as shown below in legislative form. Please note this request only impacts the R1-8 (eastern +/-20 acres) portion and no stipulation or site plan modifications are requested to the western +/-40 acres of R1-18.

Proposed Modifications to Ordinance G-5020 (Case Z-165-06-7) Stipulations

1. That **R1-8** development shall be in general conformance with the site plan date stamped ~~October 8, 2007~~ **August 29, 2018**~~, and elevations date stamped February 20, 2007,~~ as modified by the following stipulations, and as approved by the Development Services Department.

   Modification Rationale: A new site plan is proposed with this application to facilitate an alternative residential development on the eastern 20 acres. The proposed development will alter lot design and location but will not amend the approved density. The site plan considers the future development to the south and offers connectivity through a shared emergency exit road, as well as pedestrian linkage. Product elevations are still conceptual and will be finalized upon engagement from a builder. Until this time, the property owner would like to maintain elevation flexibility, but is willing to stipulate to lot design.

2. **That R1-18 development shall be in general conformance with the site plan date stamped October 8,2007, as modified by the following stipulations, and as approved by the Development Services Department.**

   Addition Rationale: No change to the R1-18 portion of the site (western 40 acres) is proposed with this application. Therefore, the applicant is willing to maintain general conformance to the site plan provided in the original zoning case.

7. That a ~~235-foot (average), 200-foot (minimum)~~ **MINIMUM ONE HUNDRED (100) FOOT** landscaped setback adjacent to 35th Avenue shall be provided, as approved by the Development Services Department.

   Modification Rationale: Several reasons play into the justification of a decrease in landscape setbacks along 35th Ave. First, the site plan setting this requirement in the zoning case was purely conceptual and did not elevate the site plan design to a technical level, including but not limited to parking

requirements, retention requirements, grading, street standards, etc. The proposed site plan conforms to the technical standards of the City, and subsequently requires additional space. The site plan has also slightly shifted east decreasing the landscape setback along 35th Ave. in order to mitigate disturbance to the environmentally sensitive areas located in the northwest corner. Other upgrades to the community have been made that have detracted from the setback along 35th Ave. including garage parking and additional common amenity spaces. It is worth noting that the stipulated landscape setback along Carver Road is maintained with this request.

19. ~~That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.~~

    Deletion Rationale: As mentioned before the property owner is not a homebuilder and therefore does not have control of when building permits will be pulled. It is also likely that the developer of the R1-8 portion will be different than the builder of the R1-18 area, which is unreasonable to tie both areas to the same timeline. Additionally, the R1-18 lots lend to custom homesite, where an individual person could design and build independently. Removing this stipulation does not change the integrity of the project but allows for flexibility of timing so a quality developer/person can thoughtfully execute every aspect of the proposed site plan.

27. That a minimum of three terraced berms with 2:1 fill slopes shall be installed along the full length of the quarry cut slope base. The terraces shall be 8 feet tall, ~~minimum~~ **MAXIMUM**, and shall be plated with a staggered combination of 2-inch and 4-inch caliper, drought¬ resistant, deciduous trees at 25 feet center to center, as approved by the Development Services Department.

    Modification Rationale: It is likely that the intent of this stipulation was to limit the disturbance to the area and treat in a way that would blend with the natural environment. Therefore, limiting the terrace height accomplishes this goal further.

31. That private roadways within the R1-8 portion of the site shall be provided with a ~~raised, vertical curb~~ **ROLL CURB**, as approved by the Development Services Department.

    Modification Rational: The proposed community will likely be private, and therefore implement the City of Phoenix standard of "Private Accessway." This detail depicts a roll curb.

37. That all sidewalks, within the R1-8 portion of the site, shall be **A MINIMUM WIDTH OF FIVE (5) FEET.** ~~detached with a minimum five-foot-wide~~

~~landscaped strip located between the sidewalk and back of curb and shall include minimum two-inch caliper shade trees planted a minimum rate of 20 feet on center or equivalent groupings along both sides of the sidewalk, as approved by the Development Services Department. The landscape strip shall be installed by the developer and maintained by the homeowners association.~~

Modification Rationale: As previously mentioned the site plan approved with the current zoning case was conceptual and did not take into detail the technical aspect of implementing detached sidewalks of this magnitude. The proposed site plan has better utilized the site's space and has offered attached five foot wide sidewalks on all major circulation routes, in addition to multi-use trails. Landscaping has been appropriately planned to maximize areas of shade, while recognizing the importance of drought tolerant plant species. It should also be noted that mature trees often thrive in a more natural environment versus a constrained five foot landscape strip.

39. ~~That only one-story homes shall be located along 35th Avenue.~~

Deletion Rationale: This stipulation, as written, is unclear and fails to define homes "along" 35th Ave. and specification of a building height associated with the stated stories. Additionally, given the proposed lot size and garage option, any single-story home would have severe square footage constraints. Deletion of this stipulation will eliminate various interpretations and mandate that all building heights conform to the zoning requirement (two stories and thirty feet).

The stipulations imposed in 2007 under zoning case Z-165-06 were based on a conceptual site plan that didn't consider the environmental and technical constraints of this unique site. This coupled with the change in market demand, evolving community, and adjacent residential development, justifies the needs to update and simplify the subject stipulations. This will result in a thriving and unique community on a vacant and otherwise blighted site. The proposed modifications reflect an effort to produce an appealing and sensitive development that aligns with the desires of the City and the community.

ATTACHMENT C



PHO-1-19--Z-33-165-06-7

Property Location: Northwest corner of 35th Avenue and Carver Road

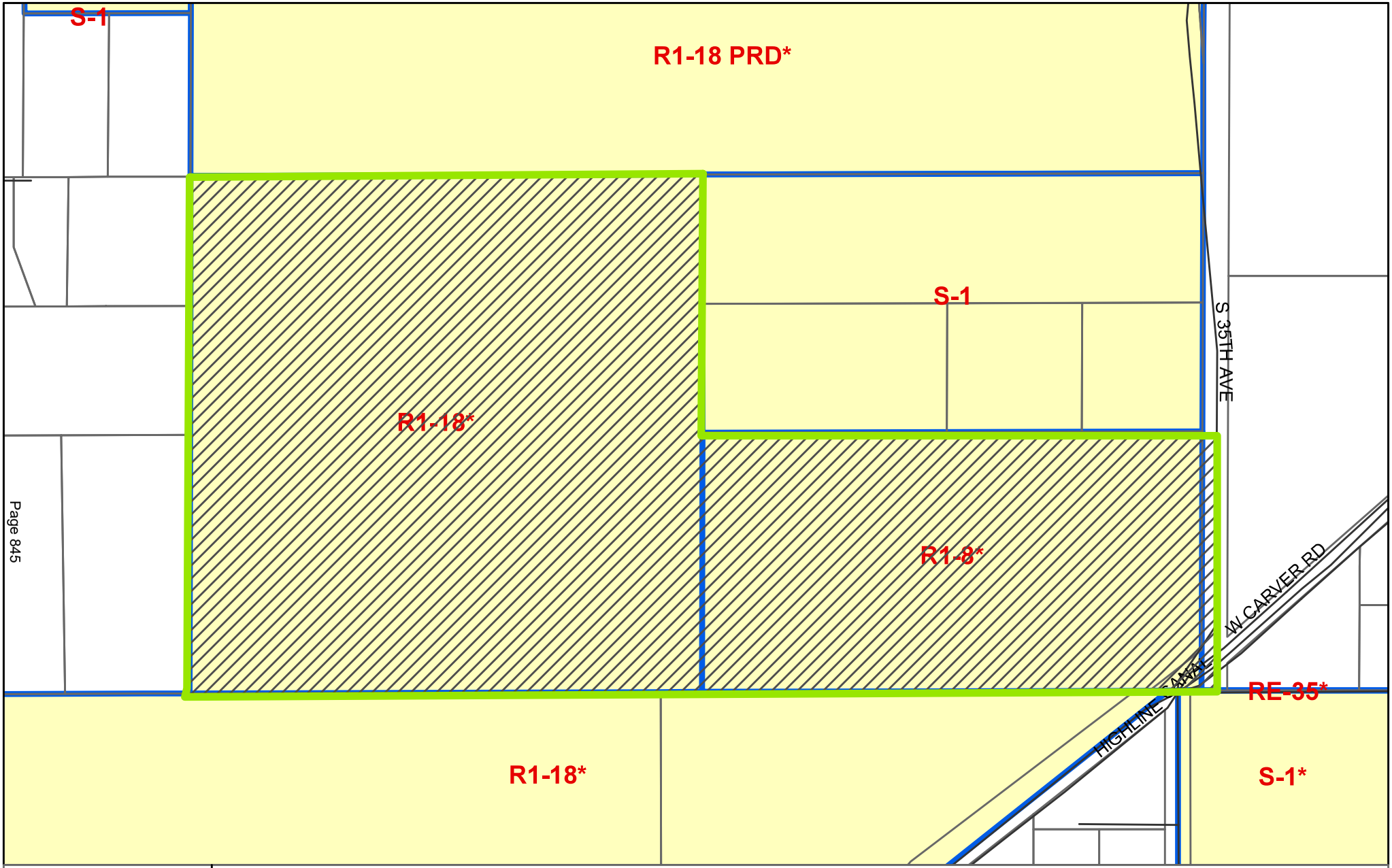
City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Planning & Development Department

0 160 320 640 Feet

N

ATTACHMENT D



PHO-1-19--Z-33-165-06-7

Property Location: Northwest corner of 35th Avenue and Carver Road

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Planning & Development Department

0 160 320 640 Feet

N

ATTACHMENT E

OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
20071183064 11/01/2007 04:28 #5020G
ELECTRONIC RECORDING (11 pages)

ORDINANCE G-5020

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 601, THE ZONING MAP OF THE CITY OF PHOENIX, CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-165-06-7) FROM S-1 (RANCH OR FARM RESIDENCE) TO R1-18 (SINGLE FAMILY RESIDENCE) AND R1-8 (SINGLE FAMILY RESIDENCE)

WHEREAS, on December 15, 2006, the City of Phoenix Planning Department received, in compliance with the requirements of the City of Phoenix Zoning Ordinance, Section 506, a written request for rezoning from LVA Urban Design Studio, having authorization to represent the owner, Steven Follmer of an approximately 59 acre property located at the northwest corner of 35th Avenue and Carver Road in a portion of Section 10, Township 1 South, Range 2 East, as described more specifically in Attachment "A", attached hereto and incorporated herein by this reference; and,

WHEREAS, pursuant to A.R.S. § 9-462.04, the Planning Commission, held a public hearing on June 13, 2007, and at this hearing recommended that the City Council approve this rezoning request with the recommended staff conditions, as modified; and

WHEREAS, the City Council, at their regularly scheduled meeting held on October 10, 2007, has determined that, in accordance with A.R.S. § 9-462.01.F, this rezoning request, with the appropriate site specific requirements provided in Section 2, is consistent with and conforms to the General Plan, will conserve and promote the public health, safety and general welfare, and should be approved, subject to the conditions herein.

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

SECTION 1: The zoning of an approximately 59 acre property located at the northwest corner of 35th Avenue and Carver Road in a portion of Section 10, Township 1 South, Range 2 East, as described more specifically in Attachment "A", is hereby changed from "S-1" (Ranch or Farm Residence) to "R1-18" (Single Family Residence) and "R1-8" (Single Family Residence) and that the Planning Director is instructed to modify The Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Attachment "B".

SECTION 2: The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. 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:

General

1. That development shall be in general conformance with the site plan date stamped October 8, 2007, and elevations date stamped February 20, 2007, as modified by the following stipulations, and as approved by the Development Services Department.

2. That development of the R1-18 portion of the site shall not exceed 22 lots.

3. That development of the R1-8 portion of the site shall not exceed a density of 99 lots.

Site Design

4. That unobstructed pedestrian access (for the purpose of private pedestrian connectivity internal to the site) between the R1-18 and R1-8 portions of the site shall be provided, as approved by the Development Services Department.

5. That no solid wall in excess of three feet in height, as measured from the finished grade, shall be located on the site (either in private lots or common tracts) except that solid walls greater than three feet in height shall be allowed for the following purposes, as approved by the Development Services Department:

    a. Walls utilized to screen utilities, trash enclosures, or other facilities generally considered to be visually obtrusive.

    b. Retaining wall.

6. That no more than 60,000 square feet of natural turf area shall be located within the common areas of the R1-8 portion of the site (this requirement does not apply to synthetic turf); if provided, common area natural turf should be centrally located and grouped so as to create one contiguous natural turf recreation area, as approved by the Development Services Department.

7. That a 235-foot (average), 200-foot (minimum) landscaped setback adjacent to 35th Avenue shall be provided, as approved by the Development Services Department.

8. That a 50-foot (minimum) landscaped setback adjacent to Carver Road (final alignment) shall be provided, as approved by the Development Services Department.

9. That those portions of spider and jeep trails which are not part of the approved grading envelopes, access drives, or other necessary site disturbance related to the proposed development of the R1-8 portion of the site shall be re-vegetated in a manner consistent with adjacent undisturbed vegetation, as approved by the Development Services Department.

Disclosures

10. That prior to final site plan approval, the property owner shall record documents that disclose to tenants of the site or purchasers of property within the site, the existence, proximity, and operational characteristics of active agricultural uses and non-domesticated animal keeping. 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.

Parks and Recreation

11. That the developer shall dedicate a multi-use trail easement and construct a multi-use trail, per adopted standards, along the north side of Carver Road, as approved by the Parks and Recreation Department.

Archaeology

12. That the applicant shall complete an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, or grading.

Street Transportation

13. That right-of-way totaling 55 feet shall be dedicated for the west half of 35th Avenue, as approved by the Street Transportation Department. 35th Avenue shall be constructed using rural streets standards similar to Dobbins Road, as approved by the Street Transportation Department.

14. That right-of-way totaling 55 feet shall be dedicated for the west half of Carver Road, as approved by the Street Transportation Department. Carver Road shall be constructed using rural streets standards similar to Dobbins Road, as approved by the Street Transportation Department.

15. That a traffic impact study shall be submitted to, and approved by, the Street Transportation Department prior to Development Services Department preliminary site plan approval. That all right-of-way dedications and associated infrastructure improvements as recommended by the traffic impact study shall be installed by the developer, as approved by the Development Services Department.

16. That 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 modified by these stipulations, and as approved by the Street Transportation Department. All improvements shall comply with all Americans with Disabilities Act accessibility standards.

17. That the applicant shall complete and submit the Developer Project Information Form for the Maricopa Association of Governments Transportation Improvement Program. This form is a requirement of the Environmental Protection Agency to meet clean air quality requirements.

18. That prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims utilizing the provided template. The waiver shall be recorded with the Maricopa County Recorder's Office and a copy shall be provided to the Development Services Department and Planning Department for the case files.

19. That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.

Neighborhood

20. That building pad cuts shall be terraced if more than 6 feet in height and treated with a stain, gunnite, or equivalent finish, as approved by the Development Services Department.

21. That all two story homes, within the R1-18 portion of the site, shall be designed in a manner such that the square footage of the second story floor area does not exceed 66 percent of the first story floor area, as approved by the Development Services Department.

22. That concrete channels shall be designed to look natural in the desert setting through color, texture, landscaping, or other means, as approved by the Development Services Department.

23. That the use of riprap and engineered culverts shall be minimized and, where utilized, shall be integrated with the desert setting through color, texture, soil plating, landscaping, or other means, as approved by the Development Services Department. To the extent possible, culverts shall be undersized to allow minor flows (10 cfs or smaller) to cross roadways in their natural condition.

24. That washes with a one hundred year peak flow of 200 cfs or greater shall be preserved and enhanced with native vegetation as described in Appendix A, Approved Plant Species List for Sonoran Preserve Edge Treatment Guidelines, as approved by the Development Services Department.

25. That lots with 2 or more sides abutting undisturbed open space shall be designed with obtuse angles, rather than right angles or acute angles, as approved by the Development Services Department.

26. That on non-hillside lots within the R1-18 portion of the development, all improvements, including driveways, landscaping, and underground utilities shall be located within a building envelope occupying no more than 50 percent of the lot up to a maximum of 20,000 square feet, whichever is less, as approved by the Development Services Department.

27. That a minimum of three terraced berms with 2:1 fill slopes shall be installed along the full length of the quarry cut slope base. The terraces shall be 8 feet tall, minimum, and shall be plated with a staggered combination of 2-inch and 4-inch caliper, drought-resistant, deciduous trees at 25 feet center to center, as approved by the Development Services Department.

28. That solid block walls, except for retaining walls or privacy fencing on individual lots, shall not be constructed outside of the building envelopes for the R1-18 portion of the site, as approved by the Development Services Department. Fencing constructed outside of the building envelope shall be combination solid/view fencing. In addition, all fencing above the 15 percent slope line shall be 100 percent view fencing.

29. That the entire 60 acre site shall have no perimeter fencing, as approved by the Development Services Department.

30. That private roadways within the R1-18 portion of the site shall be provided with ribbon curbs and colored asphalt, as approved by the Development Services Department.

31. That private roadways within the R1-8 portion of the site shall be provided with a raised, vertical curb, as approved by the Development Services Department.

32. That all HVAC units shall be ground mounted.

33. That all street lighting and wall mounted security fixtures shall be full cut off lighting. Fixture height shall be a maximum of 12 feet. Street lighting fixtures shall be decorative and have a consistent architectural theme, as approved by the Development Services Department.

34. That bollards shall be used for accent lighting at the primary access, entry monument, driveways, and trail crossings, as approved by the Development Services Department. Photovoltaic energy sources for bollard lighting shall be provided.

35. That any request to delete or modify these stipulations be preceded by presentation to the Laveen Village Planning Committee (VPC) for review and recommendation, and notification to the following persons two weeks prior to presentation at the VPC:

    a. Jon Kimoto, 3216 West Ansell Road, Laveen, 85339

    b. Cyd Manning, P.O. Box 41234, Mesa, 85274

    c. Judy Brown, P.O. Box 41234, Mesa, 85274

    d. Christine Dicken, 10827 South 30th Avenue, Laveen, 85339

    e. Richard Birnbaum, 11014 South 35th Avenue, Laveen, 85339

    f. Phil Hertel, 2300 West Broadway Road, Phoenix, 85041

    g. Steven Klein, 6820 South 66th Avenue, Laveen, 85339

36. That the following individuals shall be notified of any and all Development Services Department (DSD) meetings which are open to the public. The applicant shall be responsible for notification to

the following via a first class letter to be mailed at least two weeks prior to the DSD meeting(s):

a. Jon Kimoto, 3216 West Ansell Road, Laveen, 85339

b. Cyd Manning, P.O. Box 41234, Mesa, 85274

c. Judy Brown, P.O. Box 41234, Mesa, 85274

d. Christine Dicken, 10827 South 30th Avenue, Laveen, 85339

e. Richard Birnbaum, 11014 South 35th Avenue, Laveen, 85339

f. Phil Hertel, 2300 West Broadway Road, Phoenix, 85041

g. Steven Klein, 6820 South 66th Avenue, Laveen, 85339

37. That all sidewalks, within the R1-8 portion of the site, shall be detached with a minimum five-foot-wide landscaped strip located between the sidewalk and back of curb and shall include minimum two-inch caliper shade trees planted a minimum rate of 20 feet on center or equivalent groupings along both sides of the sidewalk, as approved by the Development Services Department. The landscape strip shall be installed by the developer and maintained by the homeowners association.

38. That a mix of two- and three-inch caliper trees shall be provided within all required common open space tracts. With the exception of the open space area adjacent to 35th Avenue, the species of trees provided shall shade 50 percent of the area of the open space at tree maturity, as approved by the Development Services Department.

39. That only one-story homes shall be located along 35th Avenue.

40. That a detailed site plan, landscaping plan, elevations, perimeter fence or wall plan, lighting plan, and entry monument signage shall be reviewed by the Laveen Village Planning Committee prior to preliminary site plan approval by the Development Services Department.

SECTION 3: If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the

decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 31st day of October, 2007.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

Acting City Attorney

REVIEWED BY:

City Manager

MLW:cz:714477v1
10/31/07:CM#59

Attachments:
A - Legal Description (1 Page)
B - Sketch Map (1 Page)

CITY CLERK DEPT.
2007 OCT 29 AM 10:27

ATTACHMENT A

LEGAL DESCRIPTION FOR Z-165-06-7

A.1

300-11-008R

THE SOUTH HALF OF THE SOUTHEAST QUARTER SECTION OF SECTION 10

OR

LOT 1, OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

EXCEPT THAT PART THEREOF, IF ANY, LYING WITHIN THE WEST 40 ACRES OF LOTS 1 AND 2;

EXCEPT THE NORTH HALF OF SAID LOT 1

A.2

300-11-008E

THE SOUTHWEST QUARTER SECTION OF SECTION 10

OR

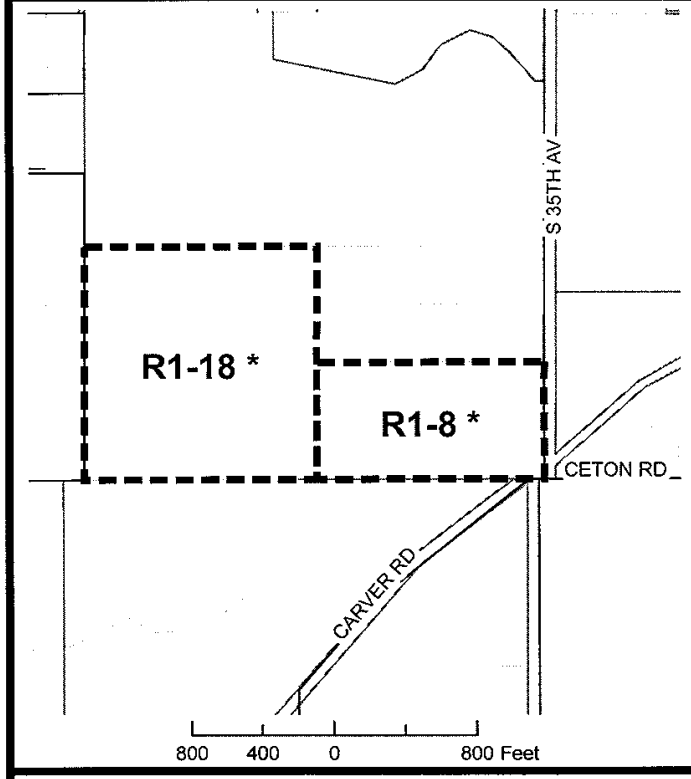
THE WEST 40 ACRES OF GOVERNMENT LOTS 1 AND 2, (SOMETIMES KNOWN AS THE SOUTH HALF OF THE SOUTHEAST QUARTER) OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN

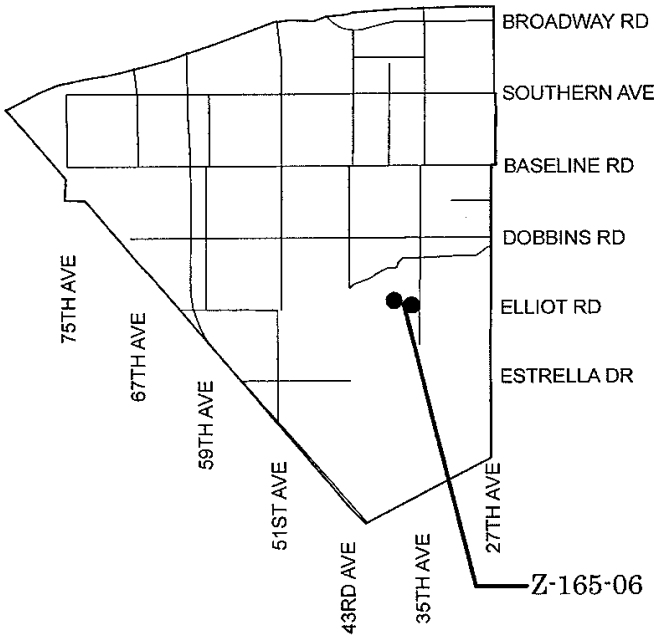
ATTACHMENT B

ORDINANCE LOCATION MAP

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-165-06
Planning Village: Laveen





NOT TO SCALE

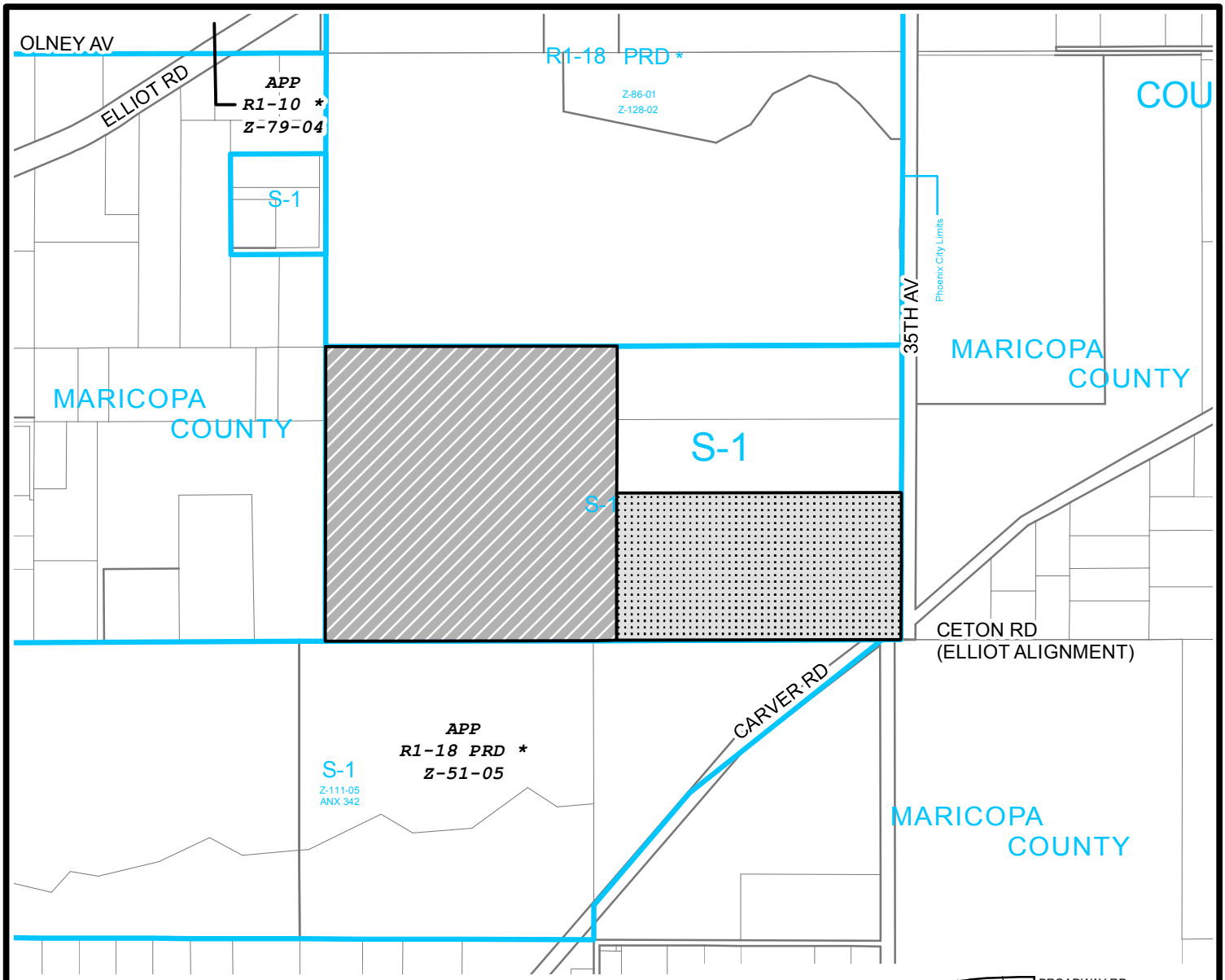
City of Phoenix
PLANNING DEPARTMENT

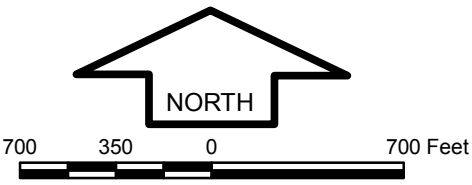
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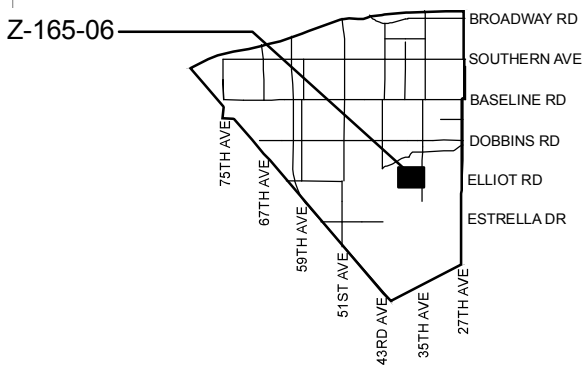
Drawn Date: 10-19-2007

(N:\IS_Team\Core_Functions\Zoning\SuppMaps\October\Z16506.mxd) 10/22/2007

ATTACHMENT F







CITY OF PHOENIX PLANNING DEPARTMENT

LAVEEN VILLAGE

CITY COUNCIL DISTRICT: 7

APPLICANT'S NAME:
LVA URBAN DESIGN STUDIO - ALAN BEAUDOIN

APPLICATION NO. Z-165-06

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

DATE: 04-10-2007
REVISION DATES: 12-21-2006 | 10-09-2007

AERIAL PHOTO & QUARTER SEC. NO.: Q04-20
ZONING MAP: C6

REQUESTED CHANGE:
FROM: S-1 (59.0 ac)
TO: R1-8 (19.4 ac)
R1-18 (39.6 ac)

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
S-1	59	N/A
R1-8 / R1-18	77 / 77	100 / 92

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

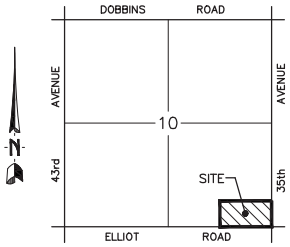
(N:\IS_Team\Core_Functions\Zoning\sketch_maps\2006\Z-165-06.mxd) 10/9/2007

ATTACHMENT G

PRELIMINARY SITE PLAN
CARVER MOUNTAIN NORTH

"A PLANNED RESIDENTIAL DEVELOPMENT"
"SUBJECT TO SINGLE FAMILY DESIGN REVIEW"

CITY OF PHOENIX
NOV 21 2019
Planning & Development Department



VICINITY MAP
SECTION 10, T. 1 S., R. 2 E.

PROJECT DESCRIPTION

A PROPOSED SINGLE FAMILY DETACHED DEVELOPMENT WITHIN R1-8 PRD & R1-18 ZONING.

LEGAL DESCRIPTION

SOUTH HALF OF THE SE QUARTER SECTION 10, T. 1 S., R. 2 E.

PARKING CALCULATIONS

GARAGE SPACES: 184 (2 PER LOT)
GUEST SPACES: 28
TOTAL PARKING SPACES: 212

DEVELOPER

VIRTUA 35th LLC
7600 N. 15th STREET, SUITE 150-19
PHOENIX, ARIZONA 85020
PHONE: (480) 930-4614
CONTACT: ERNEST AMPONSAH

ENGINEER

CLOUSE ENGINEERING INC.
5010 E. SHEA BL'VD SUITE 110
SCOTTSDALE, ARIZONA 85254
PHONE: (602) 395-9300
CONTACT: TOM WEBER

SITE DATA

EXISTING ZONING: R1-8/R1-18
GROSS ACRES: 58.998 ACRES OR 2,569,970.27 S.F.
NET ACRES: 58.40 ACRES OR 2,543,961.02 S.F.
TOTAL NUMBER OF LOTS: 92 (R1-8 PRD)
PROPOSED DENSITY: 5.5 D.U. PER ACRE (NON-HILLSIDE, R1-8 PRD)
WATER, SEWER, AND SANITATION SERVICES BY THE CITY OF PHOENIX.
ELECTRIC SERVICE BY SALT RIVER PROJECT.
GAS SERVICE BY SOUTHWEST GAS CORPORATION.
TELEPHONE SERVICE BY CENTURYLINK
CONSTRUCTION WITHIN PUBLIC UTILITY EASEMENT SHALL BE LIMITED TO UTILITIES, AND WOOD, WIRE OR REMOVABLE SECTION TYPE FENCING.
ALL UTILITIES AND SINGLE PHASE ELECTRIC LINES ARE TO BE INSTALLED UNDERGROUND.
40' MAXIMUM HEIGHT FOR TRANSFORMERS, CABINETS, AND OTHER EQUIPMENT WITHIN PERIMETER STREET FRONTAGES.
LOT SALES: YES
MAXIMUM BUILDING HEIGHT IS 2 STORIES AND 30'

NOTES

DEVELOPMENT AND USE OF THIS SITE WILL CONFORM TO ALL APPLICABLE CODES AND ORDINANCES.

THIS PROJECT IS LOCATED IN THE CITY OF PHOENIX WATER SERVICES AREA AND HAS BEEN DESIGNATED AS HAVING AN ASSURED WATER SUPPLY.

ALL UTILITIES WILL BE PLACED UNDERGROUND.

STRUCTURES AND LANDSCAPING WITHIN A TRIANGLE MEASURING 33' x 33' ALONG THE PROPERTY LINES WILL BE MAINTAINED AT A MAXIMUM HEIGHT OF 3'.

A MINIMUM 18' SETBACK WILL BE PROVIDED FROM BACK OF CURB TO FACE OF GARAGE DOOR.

EACH LOT CONSTITUTES A BUILDING ENVELOPE AND ACCESSORY USES AND STRUCTURES SUCH AS POOLS AND PRIVACY WALLS ARE PERMITTED EXCEPT AS OTHERWISE REGULATED BY OTHER CITY CODES AND ORDINANCES. THE MAXIMUM BUILDING ENVELOPE ON EACH LOT IS 40% FOR PRIMARY STRUCTURES.

AN ASSOCIATION, INCLUDING ALL PROPERTY OWNERS IN THE DEVELOPMENT, WILL BE FORMED AND HAVE RESPONSIBILITY FOR MAINTAINING ALL COMMON AREAS TO BE NOTED AS "TRACTS" OR "EASEMENTS", INCLUDING PRIVATE STREETS, LANDSCAPED AREAS, AND DRAINAGE FACILITIES IN ACCORDANCE WITH APPROVED PLANS.

OWNERS OF PROPERTY ADJACENT TO PUBLIC RIGHTS-OF-WAY WILL HAVE THE RESPONSIBILITY FOR MAINTAINING ALL LANDSCAPING LOCATED WITHIN THE RIGHTS-OF-WAY, IN ACCORDANCE WITH APPROVED PLANS.

AFTER FINAL PLAT APPROVAL THE PROJECT WILL BE INSPECTED FOR ZONING COMPLIANCE DURING CONSTRUCTION AND PRIOR TO OCCUPANCY. THE APPLICANT IS TO NOTIFY DSD PRIOR TO OCCUPANCY TO ARRANGE FOR INSPECTIONS. CALL 262-6981 AND REQUEST A DESIGN REVIEW INSPECTION.

I CONSENT TO THE REPRODUCTION OF THIS SITE PLAN FOR THE PURPOSE OF FUTURE AMENDMENTS PROVIDED THAT IF MODIFICATIONS ARE MADE, THE ARCHITECTS WHO MAKE SUCH CHANGES ASSUME FULL RESPONSIBILITY AND LIABILITY FOR THE PLAN.

SIGNATURE OF COPYRIGHT OWNER — DATE 11-12-19

THOMAS A WEBER — PRINT NAME OF COPYRIGHT OWNER — DATE 11-12-19

TRACT TABLE		
TRACT	AREA	USE
"A"	4.0631 AC.	PRIVATE ACCESSWAY, WATER & SEWER EASEMENT, DRAINAGE EASEMENT, REFUSE COLLECTION AND EMERGENCY & SERVICE VEHICLE EASEMENTS
"B"	5.2751 AC.	LANDSCAPING, P.A.E., P.U.E.
"C"	0.3126 AC.	LANDSCAPING, P.A.E., P.U.E., RETENTION & DRAINAGE EASEMENT
"D"	1.2197 AC.	LANDSCAPING, P.A.E. & P.U.E.
"E"	1.3170 AC.	LANDSCAPING, P.A.E., P.U.E., RETENTION & DRAINAGE EASEMENT
TOTAL	12.1873 AC.	

OPEN SPACE TABLE	
TRACT	AREA
"B"	229,784 S.F.
"C"	11,758 S.F.
"D"	53,128 S.F.
"E"	48,684 S.F.
TOTAL	343,354 S.F.

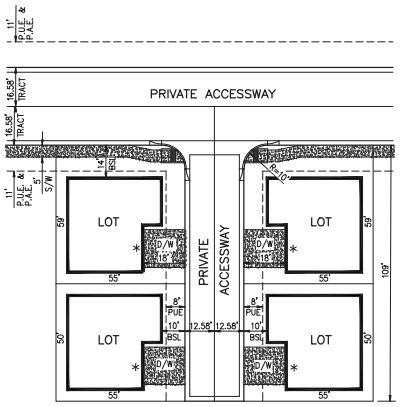
DENSITY BONUS TABLE	
INCREASE LD'SP SETBACK TO 20'	10 POINTS
MAJOR ENTRANCE FEATURE	10 POINTS
CUSTOM STREET LIGHTS STANDARDS	5 POINTS
ADDITIONAL OPEN SPACE (35%)	70 POINTS
MAJOR RECREATIONAL FEATURE (POOL)	10 POINTS
MINOR RECREATIONAL FEATURE (TRAILL)	5 POINTS
TOTAL POINTS	110 POINTS

OPEN SPACE CALCULATIONS

OPEN SPACE REQUIRED (S.F.): GROSS AREA X 0.05
OPEN SPACE REQUIRED (S.F.): 848,415 X 0.05 = 42,421
OPEN SPACE PROVIDED (S.F.): 343,354
OPEN SPACE PROVIDED (%): 343,354 / 848,415 = 40.47%
ADDITIONAL OPEN SPACE PROVIDED (%): 40.47-5.00 = 35.47

R1- 8 SLOPE ANALYSIS					
SLOPE OF LAND	ALLOWABLE DENSITY UNITS/AC	ACREAGE IN THE SLOPE CATEGORY	PRODUCT OF DENSITY x ACREAGE	TOTAL # ALLOWABLE HILLSIDE LOTS	TOTAL # ALLOWABLE NON-HILLSIDE LOTS
UNDER 10%	4.50*	16.86	75.87	–	75
10-14.9%	1.80**	0.35	0.63	0.63	–
15-19.9%	1.10**	0.30	0.33	0.33	–
20-24.9%	0.70	0.39	0.27	0.27	–
25-29.9%	0.50	0.25	0.13	0.13	–
30-34.9%	0.30	0.40	0.12	0.12	–
35% AND OVER	0.20	0.82	0.16	0.16	–
TOTAL:		19.37		1.64 – 1	75

* DENSITIES SHOWN FOR NON-HILLSIDE CATEGORIES ARE BASE ALLOWANCES. DENSITY BONUS POINTS (PRD OPTION ONLY) MAY ALLOW ADDITIONAL NON-HILLSIDE LOTS.
** UNLESS ZONING CATEGORY REQUIRES LESS



TYPICAL LOT
* MINIMUM 2 SPACES AT 9.5'x19'

LOT COVERAGE

CALCULATION:

$$\frac{\text{MAX. COVERAGE (\%)} \times \left(\frac{\text{NET AREA}}{\text{STREET AREA}}\right)}{\text{\# OF LOTS}} = \text{MAX. ALLOWABLE AREA UNDER ROOF PER LOT}$$

$$\frac{(0.40)\left(\frac{18.88}{4.06}\right)(43{,}560)}{92} = 2{,}806 \text{ S.F. MAXIMUM ALLOWABLE AREA PER LOT. (ENCLOSED STRUCTURES)}$$

$$\frac{(0.10)\left(\frac{18.88}{4.06}\right)(43{,}560)}{92} = 701 \text{ S.F. MAXIMUM ALLOWABLE AREA PER LOT. (SHADE STRUCTURES)}$$

LEGEND

- INDICATES DIRECTION OF DRAINAGE
- INDICATES SUBDIVISION CORNER
- INDICATES FIRE HYDRANT
- BSL — INDICATES BUILDING SETBACK LINES
- M.U.T.E. — INDICATES MULTI USE TRAIL EASEMENT
- 11' P.U.E. P.A.E. — INDICATES PUBLIC UTILITY EASEMENT AND PEDESTRIAN ACCESS EASEMENT

HILLSIDE PRESERVATION # H06036
KIVA # 16-3531
SDEV # 1600638
CSPH # 1900003
LSLO # 1900292
CITY Q.S. # 04-20
CURRENT ZONING: R1-8/R1-18
ZONING CASE NUMBER: Z-165-06-07
ZONING STIPULATIONS: TBD

01-PRELIM-SITE.DWG

Clouse Engineering, Inc.
ENGINEERS • SURVEYORS
5010 E. Shea Blvd Suite 110 Scottsdale, AZ. 85254
Tel 602-395-9300 Fax 602-395-9310

PRELIMINARY SITE PLAN
CARVER MOUNTAIN NORTH
PHOENIX ARIZONA

Revised
01-11-19
01-29-19
01-30-19
09-04-19
11-12-19

Date
08-29-18
As-Built
.
Job No.
180708

1 OF 3

PROPOSED SITE PLAN

PROPOSED SITE PLAN

Clouse Engineering, Inc.
ENGINEERS • SURVEYORS
5010 E. Shea Blvd Suite 110 Scottsdale, AZ. 85254
Tel 602-390-9300 Fax 602-390-9310

ARIZONA

PHOENIX

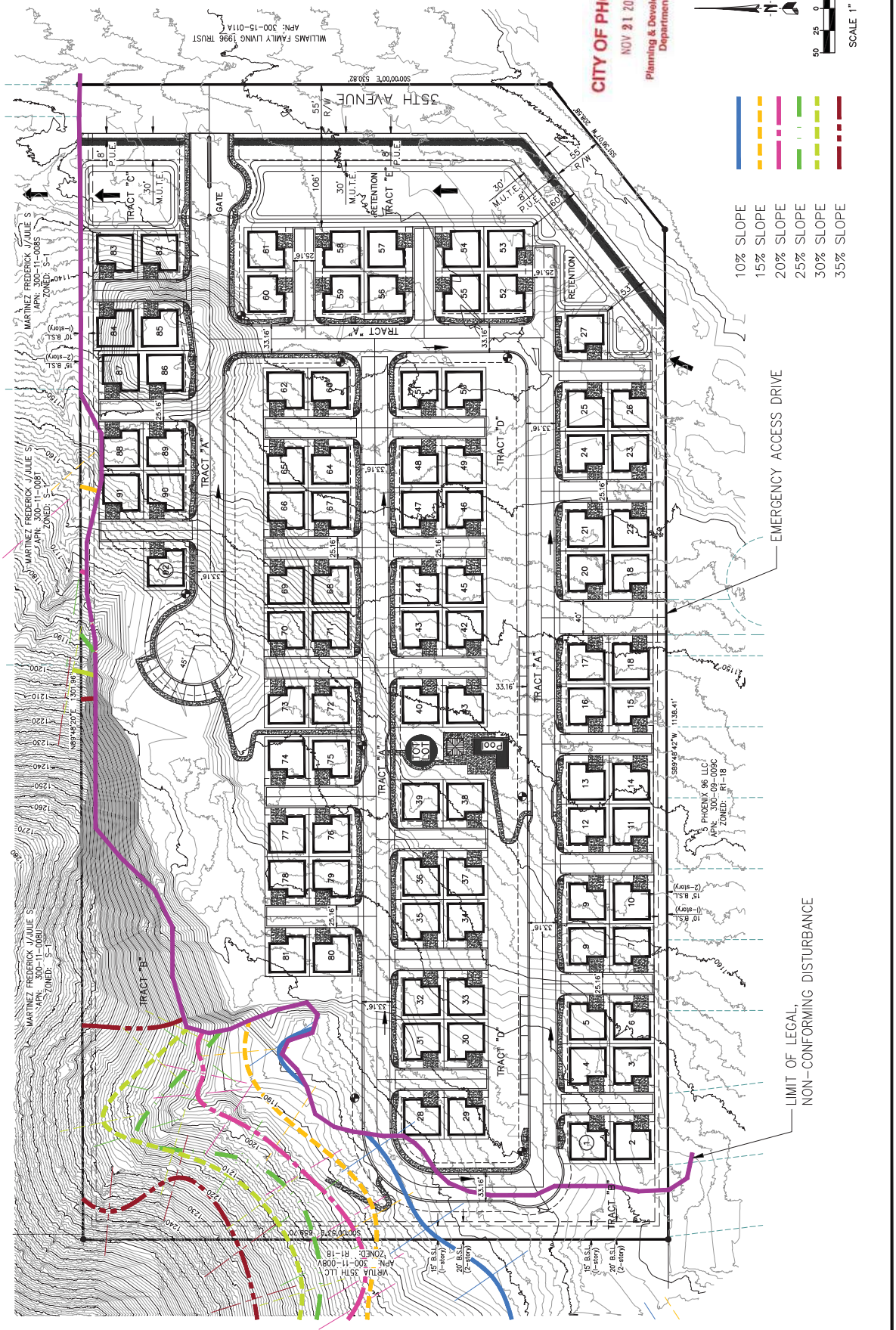
PRELIMINARY SITE PLAN
CARVER MOUNTAIN NORTH

Revised
01-11-19
01-29-19
01-30-19
09-04-19

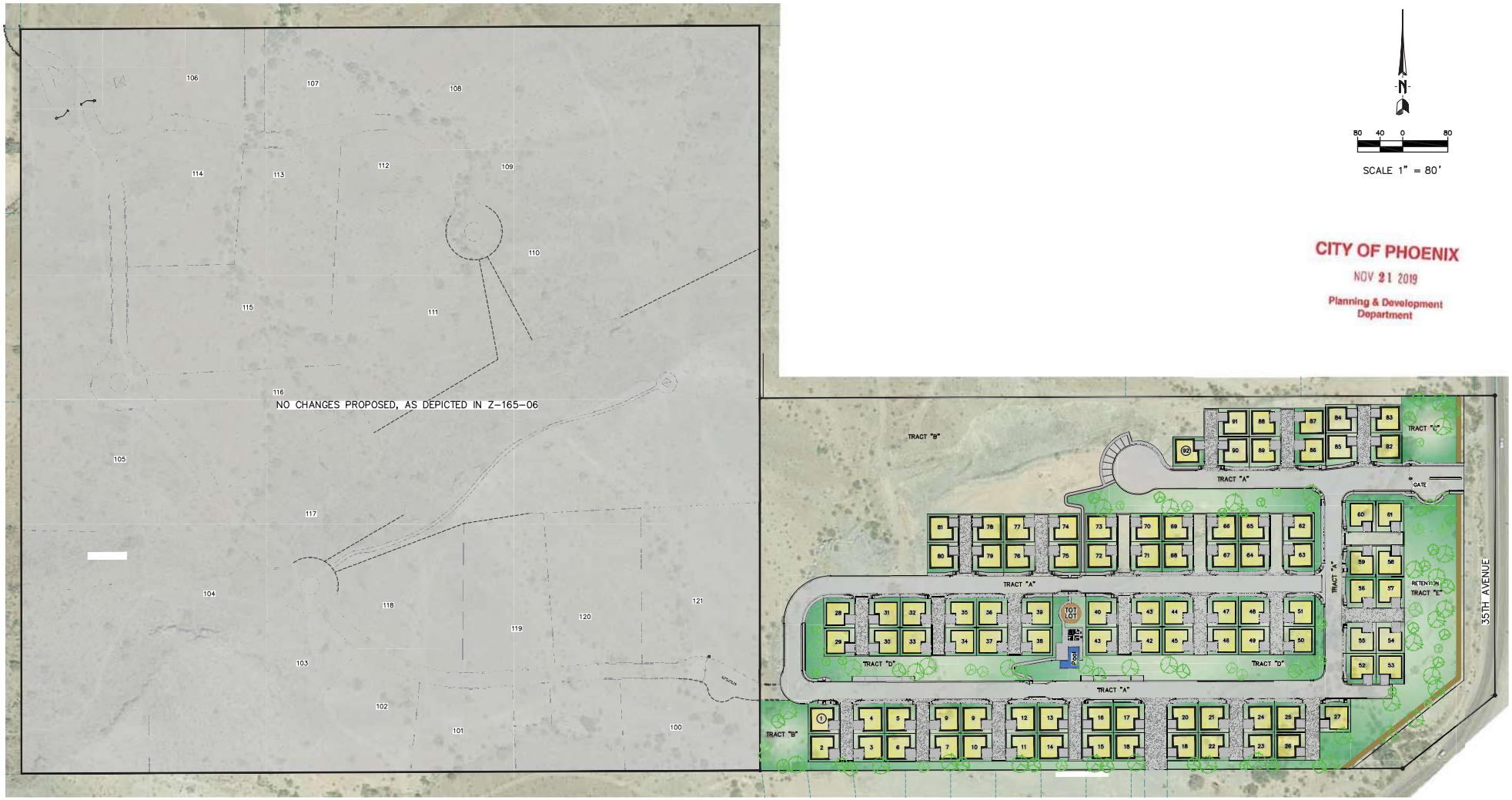
Date
08-29-18
As-Built
.
Job No.
180708

2 OF 3

PRELIMINARY SITE PLAN
CARVER MOUNTAIN NORTH



PRELIMINARY SITE PLAN
CARVER MOUNTAIN NORTH



N

80 40 0 80

SCALE 1" = 80'

CITY OF PHOENIX
NOV 21 2019
Planning & Development Department

PROPOSED SITE PLAN

02-PRELIM-SITE.DWG

Clouse Engineering, Inc.
ENGINEERS ▪ SURVEYORS
5010 E. Shea Blvd Suite 110 Scottsdale, AZ. 85254
Tel 602-395-9300 Fax 602-395-9310
PHOENIX ARIZONA

PRELIMINARY SITE PLAN
CARVER MOUNTAIN NORTH

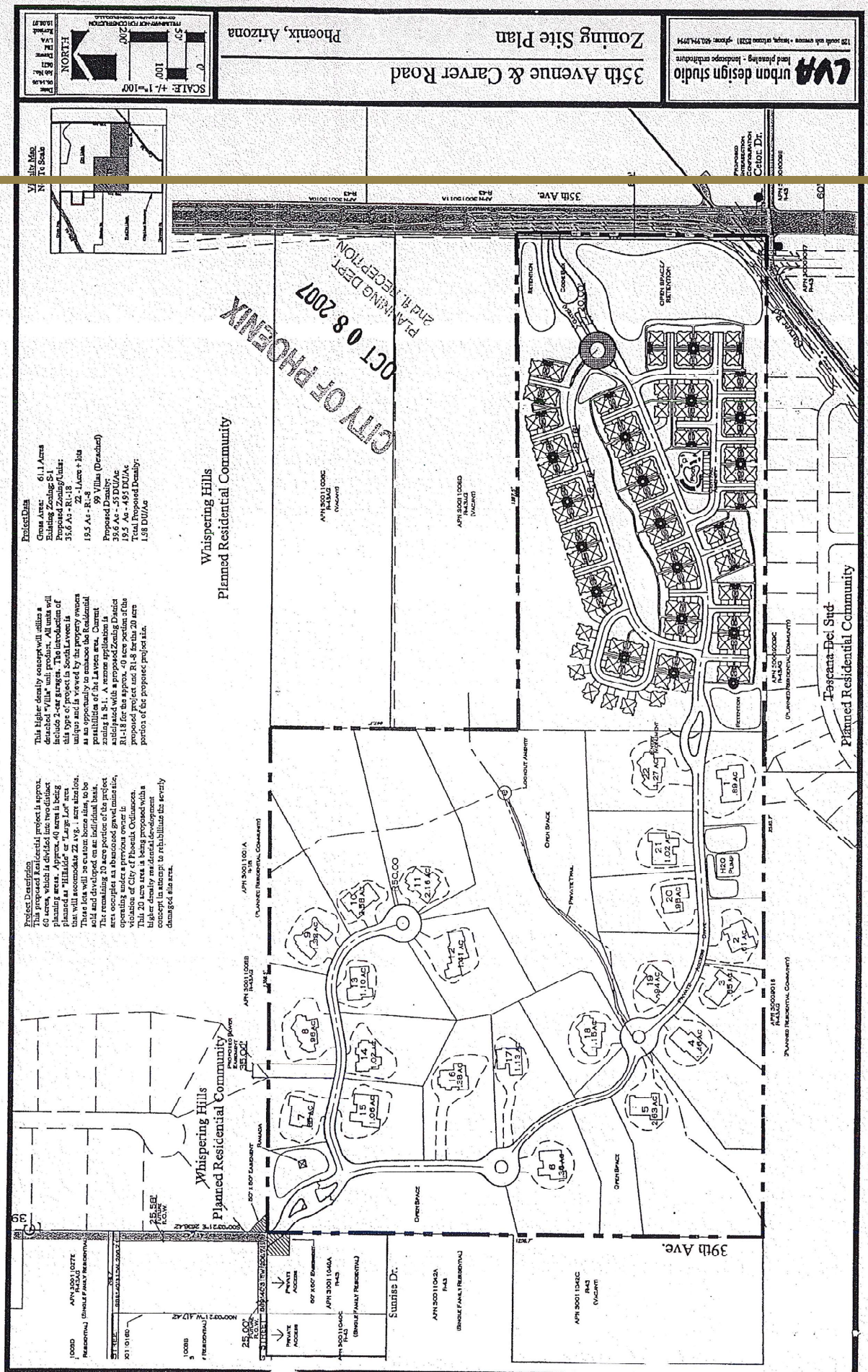
Revised
01-11-19
01-29-19
01-30-19
09-04-19
11-12-19

Date
08-29-18
As-Built
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Job No.
180708

3 OF 3

ATTACHMENT H

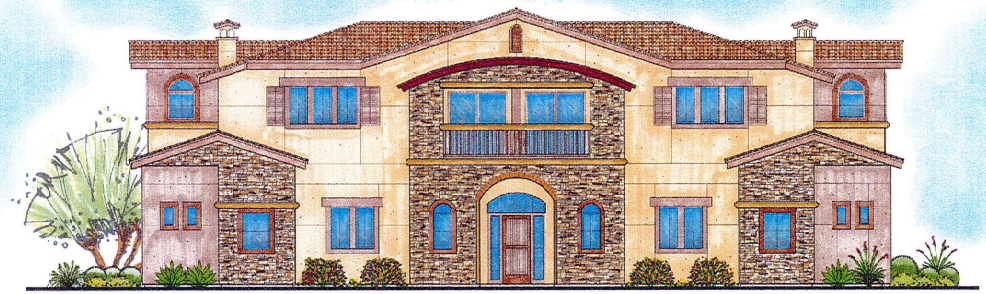
STIPULATED SITE PLAN



ATTACHMENT I



3-Unit Condo - Front Elevation



3-Unit Condo - Rear Elevation



3-Unit Condo - Side Elevation

35th Avenue & Elliot Road

Conceptual 3-Unit Condominium Building Elevations

CITY OF PHOENIX

FEB 20 2007

PLANNING DEPT.
2nd fl. RECEPTION

SCALE: Not to Scale

LVA Urban Design Studio L.L.C.

Master Planned Communities, Land Planning, Site Planning & Design, Environmental Analysis & Landscape Design

7702 East Main Street
Scottsdale, Arizona 85251
Phone (480)994-0994
Fax (480)994-7292
www.lvadesign.com

STIPULATED ELEVATIONS



Detached Villa - Side Elevation



Detached Villa - Garage Side Elevation

35th Avenue & Elliot Road

Conceptual Detached Villa Building Elevations

CITY OF PHOENIX

FEB 20 2007

PLANNING DEPT.
2nd fl. RECEPTION

SCALE: Not to Scale

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STIPULATED ELEVATIONS

ATTACHMENT J

LAVEEN VILLAGE PLANNING COMMITTEE
Meeting Minutes
Monday, January 13, 2020
Laveen Elementary School District Office #59
Laveen Education Center, Building B, Room #101
5001 West Dobbins Road, Laveen, Arizona.

Members Present	**Members Excused**	**Staff Present**
Robert Branscomb, Chair		Samantha Keating
Tonya Glass, Vice Chair		Sarah Stockham
Linda Abegg		Christine Mackay
Wendy Ensminger		
Cinthia Estela		
Gary Flunoy		
Rochelle Harlin		
Stephanie Hurd		
John Mockus		
Carlos Ortega		
Jennifer Rouse		

1. **Call to order, introductions and announcements by Chair.**

   Chairman Robert Branscomb called the meeting to order at 6:35 p.m. There was a quorum with 11 members present.

2. **Review and approval of the December 9, 2019, meeting minutes.**

   MOTION

   Ms. Stephanie Hurd moved to approve the minutes as presented. **Mr. John Mockus** seconded the motion.

   Vote
   11-0, Motion to approve, with Committee Members Abegg, Branscomb, Ensminger, Estela, Flunoy, Glass, Harlin, Hurd, Mockus, Ortega and Rouse in favor.

3. **Public comment concerning items not on the agenda.**

   Mr. Jon Kimoto commented that the Pledge of Allegiance was dropped from the agenda. He stated that the Pledge represents three basic American values: in God we trust, liberty, and “E Pluribus Unum” (out of many, one). He requested that the committee reaffirm our tradition and implement the recital of the Pledge of Allegiance.

   Mr. Phil Hertel led the committee and audience in reciting the Pledge of Allegiance.

4. **INFORMATION ONLY:** Presentation and discussion regarding economic development opportunities for the Loop 202 corridor.

Ms. Christine Mackay, Community and Economic Development Director, presented on economic development along the Loop 202 Corridor. She expects high-tech and advanced services jobs along the Corridor. She explained that the marketing name is the “South Mountain Technology Corridor” which intends to bring high-wage jobs to the area. She explained that her office is doing marketing and outreach to get the right companies and jobs in Laveen.

Ms. Hurd expressed concern that a large technology company had lost interest in relocating to the area.

Ms. Mackay replied that her office is continuing to reach out to other large technology companies.

Mr. Flunoy wanted to see more signage stating the name of the freeway as the Ed Pastor Freeway.

Vice Chair Glass requested to be included in a subcommittee of community members who meet with the technology companies. She would also like to help draft marketing language for Laveen.

Ms. Mackay explained that community members can meet with City staff but meetings with technology companies must remain confidential due to non-disclosure agreements.

Mr. James Hughes inquired if the City was partnering with the County as there is County-owned land along the Corridor and if the City has education efforts for the Corridor as well.

Ms. Mackay replied that education is key and that training the workforce is pivotal to making the area desirable.

Ms. Jane Craig commented that there is a lack of trees along Baseline Road.

Ms. Mackay replied that the City has a capital improvement program to address those concerns.

Mr. Dan Penton explained that it is critical that the vision for the Laveen Village be acknowledged and listed existing area assets.

Ms. Mackay responded that she hoped to return the Village Planning Committee within the first half of 2020 with an update.

6. **Z-165-06 (PHO-1-19):** Presentation, discussion, and possible recommendation on a request to modify stipulations of entitlement for a property located on the northwest corner of 35th Avenue and Carver Road. Request to modify stipulation 1 regarding general conformance to the site plan date stamped October 8, 2007 and elevations date stamped February 20, 2007; modification of Stipulation 7 regarding the landscape setback adjacent to 35th Avenue; deletion of Stipulation 19 regarding conditional development approval; modification of Stipulation 27 regarding height of terraced berms

along the quarry cut slope base; modification of Stipulation 31 regarding raised, vertical curbs within the R1-18 portion of the site; modification of Stipulation 37 regarding detached sidewalks and landscape strips within the R1-8 portion of the site; deletion of Stipulation 39 regarding one-story homes along 35th Avenue; and technical corrections to Stipulations 4, 5, 6, 8, 9, 15, 18, 20, 21, 22, 23, 24, 25, 26, 28, 29, 30, 33, 34, 36, 38, 40.

Chair Branscomb elected to hear this item out of order.

1 speaker card was submitted in favor, wishing to speak.

1 speaker card was submitted in favor, not wishing to speak.

28 speaker cards were submitted in opposition, wishing to speak. Ten of those speakers chose to donate their time to Cyd Manning. Two of those speakers chose to donate their time to Jon Kimoto. One speaker chose to donate their time to John Knight. One speaker chose to donate their time to Scott Johnson.

99 speaker cards were submitted in opposition, not wishing to speak.

Ms. Sarah Stockham, staff, provided on overview of the request. She displayed an aerial map, previously approved site plan, proposed site plan, and briefly reviewed the request for stipulation modifications and deletions.

Mr. Tom Galvin, with Rose Law Group, explained the history of the case. He stated that the reason for the request is in response to on-site conditions and to comply with the Hillside Ordinance. He explained that they are not requesting a change in zoning, their proposal is less dense than what was originally proposed and that they are providing twenty-three percent open space. He then reviewed each stipulation modification and deletion. He explained that the reason to update the dates in Stipulation 1 is to match the current plan dates. The reason for modification of the required setbacks along 35th Avenue in Stipulation 7 is that the slope analysis required that the homes be shifted east to protect the natural hillside feature. He continued that Proposition 207 renders Stipulation 19 moot. He explained that modifying Stipulation 27 is for safety concerns regarding a terrace height of eight feet or more. He continued that landscaping and beatification of the quarry is still proposed, but under safer conditions. He stated that Stipulation 31 with the roll curb requirement violates the City's current standard and that the private drives will conform to the City of Phoenix's standards. He added that modifying Stipulation 37 to remove the detached sidewalk requirement is to conform to City standards. He explained that additional trails are offered through common area open spaces and surrounded by landscaping. Lastly, he explained that deletion of Stipulation 39 regarding one-story homes along 35th Avenue is necessary to provide diversity of housing size, style, and consumer choices.

Mr. Mockus inquired if the developer will be bringing in water service to the area and who will bear the cost of the water service extension.

Mr. Jeff Giles, with Clouse Engineering, explained that they will be working with

another developer to bring in water and sewer services. He added that there might be some cost sharing between their group and another developer.

Ms. Rouse shared a concern with lighting in the area. She added that the posted speed limit is too fast and that is a blind turn when rounding the corner from 35th Avenue to Carver Road. She argued that reducing the landscape setback would be increasing safety issues.

Mr. Giles stated that the project will be reviewed by the Streets Transportation Department with the City of Phoenix and Maricopa County.

Ms. Hurd asked if they had conducted an environmental survey report.

Ms. Alisse Caton with Rose Law Group, answered that there will be a soils report generated later.

Vice Chair Glass stated that drainage is an issue and development on the site could potentially cause flooding to the north. She stated that the expectation is that the developer goes above and beyond.

Ms. Estela stated that she wants quality over quantity and to preserve the character of Laveen.

Ms. Abegg stated that the Committee does not have the power to revert the zoning on the property. She identified that the site is a special part of Laveen. She stated that she wanted the elevations to come back to the Village Planning Committee for approval and that one-story homes along the perimeter is vital. She sought clarification regarding the open space amounts and how Proposition 207 affects Stipulation 19.

Ms. Samantha Keating, staff, stated that the property is zoned R1-8 with stipulations. The zoning and stipulations run with the land, and that the property owner has rights to that zoning designation. She stated that the purpose of this request is to not decide what the zoning should be.

Mr. Ortega stated that the site should be held to what it was originally zoned.

Mr. Galvin restated that the slope analysis necessitated that they request to change stipulations. He continued that the request is only for the right side of the property, and that the proposed zoning is less than what was originally proposed.

Ms. Abegg stated that the Committee could deny the request completely or approve with modifications and add stipulations the Committee wants.

Public Comment

Mr. John Knight stated that the request is changing the landscape of everything that was approved. He stated that the project is cancelled, and that the area is a hazard. He continued that this project puts lives in jeopardy due to the flooding hazard.

Mr. Dan Penton shared that the zoning should have been reverted, and it affects our land value. He urged the Committee to deny the request.

Ms. Suzee Gelner asked about the tri-plex, the acreage and the size of the lots.

Mr. James Hughes shared concern that the request does not reference the Carver Hills Storm Drain Plan. He shared that the area floods. He also shared that the 200-foot setback will help with safety along the dangerous intersection. He urged the Committee to not change a thing.

Mr. Sandy Hamilton, representing the Laveen Citizens for Responsible Development, stated that the reversion stipulation is key. He continued that the original owner agreed to a contract.

Mr. James Parisella stated that he likes one house per acre, and that Laveen is the last agricultural area that people can build on. He stated that it is quiet, open and does not have bright lights. He added that his home has been flooded out twice.

John Bizdel asked what they needed to do to initiate a reversion?

Chair Branscomb stated that the process starts here, with whether they recommend to deny or approve the stipulation modifications.

Ms. Abegg added that Planning Commission is where the reversion process starts. Rezoning does not happen with the Planning Hearing Officer.

Ms. Keating repeated that the requests is to modify the stipulations. She added that there is no automatic reversion process, it is a separate process from the request before the Committee now. She repeated that the zoning is R1-8 and that the applicant can request to modify the stipulations.

Mr. Phil Hertel stated that the one-minute allotted time for public comment was absurd. He believed that the applicant misrepresented the amount of open space, which went from fifty percent to twenty three percent. He requested that the Committee deny the request until the reversion issue is resolved.

Chair Branscomb asked Mr. Hertel why the Committee approved the project back in 2007.

Mr. Hertel replied that back then the project was tolerable, and now it is intolerable.

Mr. Kimoto stated that the proposed site plan falls short of the current community quality standards. He recommended the Committee deny the request. He added that the current site plan shows a repetitive housing layout and believes that the original plan is achievable. He continued that the only change he agrees with is the roll curbs. He continued that detached sidewalks were originally requested for pedestrian safety and shade. Further, he stated that the intent of Stipulation 39 is to avoid a wall along

35th Avenue with two-story homes within the view corridor. Lastly, he added that the reversion stipulation is a City self-induced problem which they try to cover up with a band aid. He feels that is sends mixed-messages to the community. He requested four additional stipulations be added to the request:

1. A minimum of three site cross sections, traversing north to south across the 20-acre site at one-third points from the east property line at 35th Avenue shall be submitted prior to City Council approval.

The intent is to provide a line of site illustration to show the visual impact of a forty-five-foot-high change in elevation.

2. A minimum of two oblique aerial perspectives indicating proposed building and site improvements from south to north (from Carver Road) and from east to west (from 35th Avenue) shall be submitted prior to City Council approval.

3. A concept drawing showing the vertical mining cut from the terraced base to summit shall be provided to illustrate how it will be revitalized and to mitigate vertical height prior to City Council approval.

4. A detailed site plan, landscape plan, perimeter screen wall/fencing plan and elevations, entry monument plan and elevations, sign plan, and lighting plan shall be brought to the Village Planning Committee and the community for review and comment.

Mr. Scott Johnson, president of the Hangar Haciendas Home Owners Association, stated that his community is a private residential airpark subdivision located to the east of the subject property. He expressed concern that the project will be impacted by the flight path. He asked the City to initiate the reversion.

Vice Chair Glass shared that the community concerns are not falling on deaf ears, and that the Committee hears their concerns.

Cyd Manning stated she is directly by the parcel and that there was a lot of passion surrounding the project now and in 2007. She explained that the current entitlement was not brokered by the Village, but rather by Mayor Phil Gordon. She shared that she felt that the applicant is fast-tracking the case and will not meet with the neighbors, and that history is repeating itself. She clarified that there was an environmental study done for the site and no environmental issues were found. She continued that the housing market does not want small homes. She agreed with Ms. Keating that the request is not about changing the zoning. She continued that the property has been flipped four times and that Stipulation 19 was to protect the neighbors and is key to the compromise. She said that she reviewed the current plan and that the open space is reduced, the amenities are non-luxurious, and that the applicant is attempting to delete any stipulation that was put in place to protect the neighbors. She continued that the City has a policy to act on reversions, the City has no excuse to be in violation and the current request is like trying to travel on an expired passport. She gave an example of a General Plan Amendment that was initiated in 2008 that took three months to process. She stated that when the reversion is completed, she would like to work on a different

project for the site. She continued that the community has worked with other large developers in the past, and that she would like to go to City Council and support a future project at this site. She told the Committee that she is aware that they do not have the final say on the request and that other large land owners are considering the property. She believes that this case is precedent-setting. She urged the Committee to deny the request and recommend that the Planning Hearing Officer initiate a zoning reversion.

Mr. Tom Galvin responded that the City has said that the request is not about a zoning reversion. They are trying to find a win-win solution. He continued that they met with Mr. Kimoto and that they have reached out to the community. He explained that they had a meeting scheduled with Sandy Hamilton. He said that they hear their frustrations with the City, and if the community believes that the zoning should be reverted they should take that request to the City. He finished by saying that their request is to modify stipulations because of the slope analysis and they are not here to fight over a S-1 zoning reversion.

Ms. Caton clarified that there is a slope analysis for the R1-18 portion of the site and that an additional slope analysis was done for the R1-8 portion. She stated that “hillside” is any slope over ten percent. She explained that while they are requested a removal of the detached sidewalks, they are proposing pedestrian trails that lead to amenities such as tot lots. She stated that she understands the community’s passion and that she would be happy to discuss any design or aesthetic issues.

Mr. Giles stated that the site will have less runoff when developed and that they are proposing single-lot single-family detached homes.

Ms. Abegg asked for clarification on the number of garage spaces per unit. She stated that if the Committee denies the request, there is no comment to the Planning Hearing Officer. She stated that the Committee likes to amend the stipulations. She suggested a motion to recommend approval with modifications and a competing motion to recommend denial. She continued that if the Committee recommends denying the request the applicant will not return to the Committee with any updated or detailed plans. She explained that the reason for the stipulation for general conformance to the elevations dated February 20, 2007 is that the applicant has not provided new elevations and that the stipulation should not be modified until they do. The site is unique with custom homes on large lots and the elevations need to be planned with care to maintain the character. She stated that the modification to Stipulation 39 is to provide clarity. She continued that the reason for retaining Stipulation 19 is that the Laveen Village Planning Committee supports the community’s efforts to revert the zoning. She stated that the reason for the additional stipulation for enhancing the elevations is that the applicant states that it will be a luxury development but has not provided elevation details, and the Committee would like to ensure that the elevations are upgraded. The reason for adding stipulations for open space and the total number of lots is to that is what is currently being proposed.

Ms. Keating stated that for procedural purposes the Committee should hear one motion and act on it and should not have two competing motions.

MOTION

Linda Abegg made a motion to recommend approval with three modifications and seven additional stipulations as follows:

Modifications

1) Modification to Stipulation 1 to maintain that the elevations be in general conformance with the elevations date stamped February 20, 2007.
2) Retain the existing text of Stipulation 19.
3) Modification of Stipulation 39 to read "Any buildings within two hundred feet of the eastern property line shall be limited to one-story with a maximum height of twenty feet.

Additional Stipulations

1) All sides of each building shall be enhanced with a minimum of 50% non-stucco material such as wood, stone, brick, etc.
2) The developer shall provide a minimum of twelve percent useable open space centrally located within the community and a minimum of twenty-six percent total open space
3) The R1-8 portion shall be limited to ninety-two lots
4) The developer shall provide a minimum of two garage spaces per unit
5) The driveways shall be at least twenty-two feet long
6) Prior to site plan approval, a final site plan, building elevations, detailed landscape plan, detailed entry monument plan, and perimeter fence plans shall be approved through the Planning Hearing Officer process with alternate site plans listed below to be provided:
    - A minimum of three site cross sections, traversing north to south across the 20-acre site at one-third points from the east property line at 35th Avenue
    - A minimum of two oblique aerial perspectives indicating proposed building and site improvements from south to north (from Carver Road) and from east to west (from 35th Avenue)
    - A concept drawing showing the vertical mining cut from the terraced base to summit shall be provided to illustrate how it will be revitalized and to mitigate vertical height prior to City Council approval
    - A detailed site plan, landscape plan, perimeter screen wall/fencing plan and elevations, entry monument plan and elevations, sign plan, and lighting plan
7) Any request to change, delete or modify stipulations be presented through the Planning Hearing Officer process.

Carlos Ortega seconded the motion.

VOTE

4-7 Motion fails; with members Abegg, Ortega, Glass and Branscomb in favor; members Ensminger, Estela, Flunoy, Harlin, Hurd, Mockus, and Rouse opposed.

Ms. Keating clarified that the applicant will need to delete or modify Stipulation 19 in order to move forward and develop the property.

MOTION
Stephanie Hurd made a motion to recommend denial of the request. She also requested that the Planning Hearing Officer recommend to the Planning Commission to initiate a zoning reversion for the site.

Jennifer Rouse seconded the motion.

VOTE
11-0 Motion passed; with members Abegg, Ensminger, Estela, Flunoy, Harlin, Hurd, Mockus, Ortega, Rouse, Glass and Branscomb in favor.

5. **Z-96-06 (PHO-2-19):** Presentation, discussion, and possible recommendation on a request to review and approve conceptual elevations by the Planning Hearing Officer per Stipulation No. 2 of Rezoning Case No. Z-96-06-7 for a property located on the southwest corner of 59th Avenue and Southern Avenue.

   Four speaker cards were submitted in favor, wishing to speak.

   Two speaker cards were submitted in opposition, wishing to speak.

   Ms. Stockham, staff, provided an overview of the request and reviewed Stipulation 2 and the proposed elevations.

   Ben Tate, with Withey Morris, PLC, reviewed the history of the case and that Stipulation 2 requires the applicant to return with conceptual elevations to be reviewed by the criteria set forth in the stipulation. He shared that the site plan was approved in October and that the elevations show variation in color and material. He continued that the elevations were shown to the Laveen Citizens for Responsible Development and they are identical to the elevations approved at another project located at 59th Avenue and Elliot Road.

   Vice Chair Glass shared that she did not believe the elevations looked the same.

   Mr. Tate replied that this is the single-story version of the elevation, for the property to the east of the freeway.

   Ms. Harlin shared that she thought the west side of the property would be developed first, and then the east side would be developed.

   Mr. Mockus said that when the project was first approved there were roads going through the entire property. He asked if it will still be one community with connecting roads.

   Mr. Tate replied that there is a common entrance off Southern and that the communities will have two different names.

   Vice Chair Glass commented that the elevations for the project at 59th Avenue and Elliot Road had been created more thoughtfully.

   Mr. Tate responded that he had worked on the project at 59th Avenue and Elliot Road and assured Ms. Glass that the elevations were the same.

   Ms. Abegg reminded the Committee that the request is to evaluate the elevations

based on the criteria included in the stipulation.

Public Comment

Mr. Dan Penton commended that they applicant met with the Laveen Citizens for Responsible Development and that the elevations are identical to the previously approved project. He shared that the design looked rural and asked what the density will be for the project.

Mr. Tate responded that the density will be 11.5 dwelling units per acre.

Mr. Penton asked if there will be a monument entry sign.

Mr. Tate responded that they will have a low agrarian monument that is more like a boutique hotel.

Mr. Vance Pierce stated that he was surprised by the elevations and that they need more projects like this in Laveen. He stated that it is good for developers to listen to the needs of the community.

Ms. Jadestorm Shamsid-Deen stated that she is the founder of a company called Mir`Ra I.M.A.G.E, Inc, which inspires young adults to find a better future. She stated that her complaint was that her company's name was slandered on the Nextdoor application. She continued that it is the homeowners that help fund education and that this project does not help the youth. She added that they are ugly one-story apartments.

Mr. Alex Moctezuma shared that he is the vice president of a small home owners association near 67th Avenue and Dobbins Road. He questioned what the project will look like in ten years and that the quality of the build is vital.

Vice Chair Glass asked what the price point will be for these units.

Mr. Tate responded that they will be rented in the range of $1,000 - $1,500 a month, the same as the units at 59th Avenue and Elliot Road. He added that the developer invests in quality materials and that they project will look good in ten years due to the design not being trendy.

MOTION
Linda Abegg made a motion to recommend approval.

Jennifer Rouse seconded the motion.

VOTE

11-0 Motion passed; with members Abegg, Ensminger, Estela, Flunoy, Harlin, Hurd, Mockus, Ortega, Rouse, Glass and Branscomb in favor.

7. **Z-115-A-99-7:** Presentation, discussion, and possible recommendation regarding a request to rezone an approximately 4.26-acre site located approximately 325 feet south of the southwest corner of 67th Avenue and Baseline Road **from** R1-6 PCD (Approved C-1 PCD) (Single-Family Residence District, Planned Community District, Approved Neighborhood Retail, Planned Community District) **to** C-2 SP PCD (Intermediate Commercial, Special Permit, Planned Community District) to allow for a self-service

storage facility and all underlying C-2 uses.

Mr. Gary Flunoy left at 9:35 PM bringing the quorum down to 10 members.

Two speaker cards were submitted in support, not wishing to speak.

Four speaker cards were submitted in support, wishing to speak.

Ms. Stockham, staff, provided an overview of the request, noting the location, the history of the site, previous stipulations and current request. She displayed an aerial map, previously approved site plan, proposed site plan, and briefly reviewed staff's recommendation and stipulations.

Mr. Greg Loper introduced himself and stated that the project is named The Collective. He stated that members of his team met with the Laveen Citizens for Responsible Development because they want to be conscientious about community concerns and design that is compatible with the community. He continued that there will be access to the site from Meadows Loop East and Baseline Road. He added that the site will be a place for the community and local businesses to store items.

Mr. Ortega asked about adding a stipulation that addresses what would happen if the project does not get built.

Mr. Mockus asked if the applicant owned the strip of land going north to Baseline Road.

Mr. Loper replied that they do.

Mr. Mockus asked what would keep the applicant from developing the property

Mr. Loper responded that the developer has done many projects like this.

Ms. Harlin asked for clarification about Stipulation 16.

Public Comment

Mr. Dan Penton thanked the applicant for working with the Laveen Citizens for Responsible Development (LCRD) and believes it is a great product for the area. He asked that the Committee recommend approval.

Mr. Jon Kimoto stated that it is a positive project, it creates a passive buffer between the commercial parcel to the north and the residences. He stated that the issue is with the existing wall.

Ms. Keating stated that typically a developer adds a wall and then has a landscaped setback. She added that there is already an existing wall.

Mr. Phil Hertel stated that the community does not want an extra wall and that the

existing wall will buffer the neighboring residential uses. He requested that his address be changed as written in the stipulation.

Mr. Vance Pierce shared that he generally likes a storage facility between homes and the commercial uses to the north and that the homes along the west side have shallower yards. He would have preferred to see a more "L"-shaped layout to buffer the residences to the west more.

Mr. Loper responded that the lighting will be wall-mounted, and motion activated except for the parking lights. He added that they development will keep light shielded from the residences.

MOTION

Linda Abegg made a motion to recommend approval with one modification and one additional stipulation as follows:

Modifications

1) Modification to Stipulation 17 to update Phil Hertel's address to 2845 W Broadway Road.

Additional Stipulations

1) The development shall be in general conformance with the site plan and elevations date stamped December 23, 2019 as modified by the following stipulations and approved by the Planning and Development Department.

John Mockus seconded the motion.

VOTE

10-0 Motion passed; with members Abegg, Ensminger, Estela, Harlin, Hurd, Mockus, Ortega, Rouse, Glass and Branscomb in favor.

8. **INFORMATION ONLY:** Presentation and discussion regarding the 2019 Laveen Village Annual Report.

   Not heard.

9. Staff update on cases recently reviewed by the Committee.

   No updates given.

10. Committee member announcements, requests for information, follow up, or future agenda items.

    Ms. Rouse urged Committee members to get involved with the budget process.

    Ms. Abegg announced that Councilmember Garcia will attend the next meeting.

Mr. Dan Penton announced the 20th Anniversary Laveen Parade will be held on February 1st and the Laveen Barbeque will be on February 8th.

Vice Chair Glass announced that Reid Butler owns the Sachs-Webster House and is planning to revitalize the workshop.

11. **Adjournment**

The meeting was adjourned at 10:10 PM.

ATTACHMENT K

REPORT OF PLANNING HEARING OFFICER ACTION
Adam Stranieri, Planner III, Hearing Officer
Julianna Pierre, Planner I, Assisting

January 15, 2020

ITEM 5

DISTRICT 7

SUBJECT:

Application #:	Z-165-06-7(8) (PHO-1-19)
Zoning:	R1-8, R1-18
Location:	Northwest corner of 35th Avenue and Carver Road
Acreage:	59.48
Request:	1) Modification of Stipulation 1 regarding general conformance to the site plan date stamped October 8, 2007 and elevations date stamped February 20, 2007. 2) Modification of Stipulation 7 regarding the landscape setback adjacent to 35th Avenue. 3) Deletion of Stipulation 19 regarding conditional development approval. 4) Modification of Stipulation 27 regarding height of terraced berms along the quarry cut slope base. 5) Modification of Stipulation 31 regarding raised, vertical curbs within the R1-18 portion of the site. 6) Modification of Stipulation 37 regarding detached sidewalks and landscape strips within the R1-8 portion of the site. 7) Deletion of Stipulation 39 regarding one-story homes along 35th Avenue. 8) Technical corrections to Stipulations 4, 5, 6, 8, 9, 15, 18, 20, 21, 22, 23, 24, 25, 26, 28, 29, 30, 33, 34, 36, 38, 40.
Applicant:	Alisse Caton, Rose Law Group
Owner:	Virtua 35th LLC
Representative:	Alisse Caton, Rose Law Group

ACTIONS

Planning Hearing Officer Recommendation: The Planning Hearing Officer took this case under advisement. On February 13, 2020 the Planning Hearing Officer took this case out from under advisement and recommended denial as filed and approval with modifications and additional stipulations.

Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee heard this case on January 13, 2020 and recommended denial by an 11-0 vote.

DISCUSSION

35 cards submitted in opposition to the request, 7 wishing to speak.

5 cards submitted expressing no position, 3 wishing to speak.

Thomas Galvin, applicant and representative with Rose Law Group, stated that the request is a response to site topography, City requests, and to make the area buildable. He stated that he met with staff in late 2018 and was instructed to conduct a slope analysis. He stated that the proposed site plan is based upon the results of the slope analysis and comments received from City staff. He stated that the new site plan reduces density and depicts seven less lots than the stipulated plan. He added that there will be an increase in the amount of open space required. He clarified that, after conducting research, they determined that of the open space required, 50% was to be tree coverage. Adam Stranieri asked where the requirement for the tree coverage originated. Alisse Caton, with Rose Law Group, clarified that this was discussed in a previous hearing and is not a stipulation. Mr. Galvin stated that in 2007 the rezoning was approved for 22 lots on the western 40 acres and 99 lots on the eastern 20 acres. He clarified that no changes were being proposed for the western portion and that the request only impacts the eastern portion.

Mr. Galvin stated that the modification of Stipulation 1, regarding general conformance to the site plan and elevations, is intended to update plans for the R1-18 portion. The modification of Stipulation 7, regarding the landscape setback adjacent to 35th Avenue, is a direct response to the slope analysis and an effort to protect the natural hillside features by moving the lots further east. He stated that Stipulation 19, regarding conditional development approval, should be deleted because the zoning change was approved in 2007 and any reversion would violate Proposition 207. Stipulation 27, regarding height of terraced berms along the quarry cut slope base, should be modified to allow landscaping and beautification under safer conditions. He stated that the modifications of Stipulation 31, regarding raised, vertical curbs within the R1-18 portion of the site, and Stipulation 37, regarding detached sidewalks and landscape strips within the R1-8 portion of the site, are to bring the site into conformance with current City standards. He stated that Stipulation 39, regarding one-story homes along 35th Avenue, should be deleted to allow consumer choices and a variety of housing types. Mr. Galvin concluded that all their changes will provide view corridors with appropriate connectivity and meet City standards.

Mr. Stranieri asked for clarification regarding the proposal to delete the requirement for detached sidewalks. Ms. Caton stated that there would be attached sidewalks on one side of the street and pedestrian trail connectivity between the units that provides connection to amenity spaces and parking. She added that the proposal is intended to conform with the City standards, but also wants to entertain doing attached 5-foot sidewalks in addition to the trails. She clarified that detached sidewalks would not be able to be provided on the private drives and that would be offset by the provided trails.

Mr. Stranieri asked for clarification regarding the percentage of open space being provided. Mr. Caton stated that the overall open space of the R1-8 and R-18 portions

would be 23%, but the open space in the R1-8 portion would be 26%. She stated that the open space calculations include both active and passive open space. Mr. Stranieri stated that the calculation exceeded 5 times what is required in the Zoning Ordinance and asked if the applicant understood that the calculation would not include any perimeter landscape setbacks. Jeff Giles, with Clouse Engineering, stated that the 26% of open space in the R1-8 portion of the site took into account the hillside areas and a portion of the landscape setback. However, Mr. Giles noted that there were some areas that were not included in the calculation due to the slope of the site, but could still be considered open space per the City's definition.

Linda Abegg, a member of the Laveen Village Planning Committee, stated that she shared the same concerns as the community regarding Stipulation 19. She also stated that she had concerns regarding the removal of general conformance to elevations without the applicant proposing new elevations. She stated that the Laveen Village always wants to see elevations come through the Planning Hearing Officer process. She stated that the general conformance could remain with prior elevations or an additional stipulation could be added that elevations have to come back through the Planning Hearing Officer process. She stated that the Laveen Village also recommends a standard for maximum one-story buildings along arterials. She stated that there are concerns regarding having taller buildings along 35th Avenue, especially with the blind corner. She also stated that the usable open space was 12% and the total open space was 26%. She stated that the enhanced open space should be stipulated to ensure that the open space is centrally located in the community and not only the mountainside.

Mr. Stranieri stated that the subject property of the current PHO is the same as the entire property of the original rezoning case and includes both the R1-8 and R1-18 portions. He noted that the legislative edit submitted by the applicant takes out the requirement for conformance to elevations without providing new plans. He stated that concerns about materials and other design elements could be addressed in a future PHO hearing at the time that the applicant proposed conceptual building elevations.

Phil Hertel, a member of the Laveen Citizens for Responsible Development (LCRD), noted that his name and address are outdated in Stipulations 35 and 36, regarding notifications. He stated that his address has changed and should be updated in the stipulation. He stated that the applicant did not meet with the LCRD and the applicant did not receive community input during the official meeting. He stated that he also had concerns about Stipulation 19 and that the site should be reverted back to S-1. He stated the community is supportive of development in the area, but that the item should be continued or denied until the reversion is addressed.

Dan Penton, a representative from the Laveen Community Council, stated that the area is unique and the proposed development would have a negative impact on the agrarian character and heritage of the area. He stated that the Laveen Southwest Growth Study and Laveen Residential Design Guidelines represent the values of the community and guidelines for future growth in the area. He stated that the intent of these documents should not be overlooked and that the proposed development is incompatible with the area. He stated that the reversion matter should be handled first, before the item moves forward.

Dave Blake, a member of the community, stated that he is a native of Phoenix and also supported the reversion. He stated that the City should revert the zoning because the area was never developed. He stated that the area is unique and does not need high density development.

Tami Blake, a member of the community, stated that most of the properties in the area are developed with approximately one home per acre. She stated that she often rides horses and expressed concern regarding the impacts of the proposal on her ability to continue riding in the area. She noted that this is one of the last areas in the City that hasn't had higher density residential development crammed in and that the area should instead be preserved as is.

John Bzdel, a member of the community, stated that there is an ethical dilemma. He stated that City employees have a duty to prevent improper government action. He stated that the process failed in 2011 because the zoning never reverted to S-1. He stated the second process failure was the acceptance of the PHO case without noting that the zoning was never reverted. He stated that the case should be taken under advisement to speak with the City's Law Department because the ethics policy violations need to be addressed.

Jon Kimoto, a member of the public, stated that the proposed site plan falls short of the design quality expected in Laveen. He stated that the proposed plan is a grid that attempts to impose a flat land subdivision upon a unique hillside situation. He stated that the proposed plan does not take into account the contours, views, and drainage issues of the site. He stated that the stipulated plan addressed the distinctive aspects of the area and had a more attractive entry feature. He added that there was a significant landscape buffer on the previous plan and there are now concerns about the height of homes along the perimeter of the subdivision. He stated that there were also concerns about the terraced berms along the quarry cut slope base. He stated that the applicant's proposal could decrease the height of the terraced berms and negatively impact the safety of residents in the area. He also stated that the City should revert the zoning and the case should be heard before the correct judicial body. He also stated that the addresses of those named in Stipulation 35 and 36 should be updated.

Scott Johnson, a member of the public and president of the Hanger Haciendas Homeowners Association, stated that Hanger Haciendas is a private residential airport community located 2300 feet east of the subject property. He stated that the subject property has changed hands several times since 2007 and he wants to ensure that the developer is aware of the project's proximity to a private airport. He stated that the community is 38 lots on 65 acres with 30 aircraft based there. He stated that flights typically land to the east and take off to the west, placing aircraft at low altitudes in close proximity to the subject property. He added that the application should never have been accepted because the zoning was never reverted. He stated that just because the reversion was missed before does not mean that it should be overlooked now. He stated that the application should be denied and the reversion initiated.

Stephanie Hurd, a member of the Laveen Village Planning Committee, stated the VPC is a vital link between the community and City decision makers. She stated that Laveen has one of the biggest areas of undeveloped land in the City of Phoenix and the community wants development, but also wants the area to retain its character. She stated that the area should be kept at low density and the developer should take the community's wishes into account. She stated that she agreed with the community and felt the case should be put on hold until the reversion issue is addressed.

Cyd Manning, a member of the community who was involved with the original rezoning, stated that she is affected by the site every day because she can see it from both her back and front yards. She stated that contrary to the applicant's materials, the area is not blighted and there are no known environmental issues. She stated that the market does not want small homes in the Laveen area. She stated that the property has been flipped numerous times since the original rezoning case. She stated that the proposed plans are uninspired with no view corridors. She stated the City is in violation of Ordinance G-5020 which approved the rezoning and should have initiated the reversion in 2011. She stated that when she requested the City to take action on the reversion she was told that there was no time or resources to process the cases with reversion stipulations. She stated that once the reversion is taken care of, she and other members of the community are willing to sit down with the developer to discuss possible development.

Mr. Galvin stated that the stipulated site plan does not reflect S-1 zoning and that the property is not zoned S-1. He stated that their case is not requesting a zoning change and instead requesting modifications and deletions to stipulations. He clarified that he did not reject a meeting with the LCRD, but could not meet due to scheduling issues. He stated that the LCRD also cancelled a planned meeting. He stated that the applicant is willing to work with the community, but it is impossible to revert back to S-1. He stated that the area is also a patchwork of land under the City of Phoenix and Maricopa County jurisdictions. He stated that the City of Phoenix land has more dense zoning, while land under the County has remained less dense. He stated that the City is also changing, specifically this area which may become a technology and employment corridor in the future. He stated that he respects residents who want to maintain their agrarian lifestyle, but the City should also provide affordable housing for those wishing to live in Phoenix. He added that the City would not be able to revert the property due to legal issues.

Ms. Caton clarified that when they stated the site plan responded to environmental issues they meant the plan was a direct reflection of the slope analysis. She stated that they have worked with an engineer to address the technical feasibility of the plan. She also stated that the applicant is working with the developers to the south and their site plan works in tandem with the proposed site plan.

Mr. Giles stated that Stipulation 27 required berms be a minimum of eight feet in height, but he noted that there may be a safety issue for hikers or kids in the neighborhood if the berms are higher than eight feet. He stated that the modification of Stipulation 31 is intended to allow for drainage considerations. He stated that some areas will require

vertical curb while others require rolled curb, but those decisions would all be engineer driven.

Mr. Stranieri asked for clarification regarding how the proposed unit types compare to the stipulated detached villas. Mr. Giles said that the product footprint has not really changed. The product has four homes clustered together, but without a courtyard. Mr. Stranieri clarified that the stipulated elevations did not specify if they were specifically for the R1-8 or R1-18 portion of the site. He stated that since the development was the entire site, the elevations are required for conformance for the entire site. Ms. Caton stated that the community would most likely not want a villa product on the 40 acres of R1-18. Mr. Stranieri agreed and stated that it would most likely be custom home lots.

Mr. Stranieri stated that the proposed minimum 100-foot landscape setback on 35th Avenue is over 5 times what is required by the Ordinance. He stated that the reduction will allow the units to be placed farther away from the hillside areas. He stated Stipulation 27 regarding terraced berms was intended to restore the disturbed hillside. However, there was no background information in the case file to determine the origin of the requirement for terraced berms with deciduous trees. He stated that a geotechnical report would identify what the appropriate slope is to stabilize the hillside. He stated that he could not confirm that 2:1 is the appropriate slope as stipulated and no existing report was found. He stated that a native landscaping palette along with some treatment to allow restoration of the natural aesthetic of the hillside would be most appropriate. He stated that additional flexibility should be introduced through consultation with Planning and Development Department staff, submission of a geotechnical report, and review of any proposed alternatives.

Regarding Stipulation 19, Mr. Stranieri stated that the current request is not a reversion hearing and he does not have the authority to initiate a reversion during or as a recommendation of the current PHO request. He stated that the current request solely involves the applicant's request for stipulation modifications and deletions. He clarified that the original rezoning was approved by ordinance adoption and the zoning was vested with the adoption of that ordinance. He clarified that the rezoning case was accompanied by a General Plan Amendment (GPA), approved by the City Council, which updated the General Plan Land Use Map designation for the subject property to correlate with the requested zoning. He stated that GPAs are appended to the City's General Plan Map upon adoption and that he did not know of any process or procedure to revert these requests. He added that if a Proposition 207 lawsuit was raised it would not be heard under a municipal zoning hearing like the PHO, but rather in a court of law.

Ms. Manning stated that there was a letter written by a Village Planner in 2008 that initiated an action to amend the General Plan, which was heard by the Planning Commission and ratified by City Council on October 15, 2008. Mr. Stranieri said that he would look into the history of this additional GPA and how it related to the base zoning case.

Mr. Stranieri stated that Stipulation 31, regarding vertical curbs, correlated with the requirement for detached sidewalks throughout the subdivision. He stated that the Street Transportation Department recommended deletion of the stipulation because

there are existing technical details and engineering requirements for the different types of streets in the development. Curb types will be engineered depending on the type of street. Further, based on the conceptual site plan, some of the proposed streets may be developed as private drives which would allow rolled curbs.

Mr. Stranieri stated that the City has been consistent with its recent policy plans and long range planning activities to focus on shade, heat island mitigation, and pedestrian safety in new developments. He added that the City's Tree and Shade Master Plan, City Council adopted Guiding Principles for Complete Streets, and the 2015 General Plan all expand upon the principles regarding urban forestry and walkability. He noted that detached sidewalks may not be able to be implemented on the portions of the right-of-way between the clusters of homes which may be developed as private drives. He stated that the originally stipulated detached sidewalks should be provided along all streets developed as private accessways and public streets, consistent with the original approval and City policies.

Mr. Stranieri stated Stipulation 39 lacked detail regarding the maximum building height and which homes the restriction may apply to. He added that "adjacent to 35th Avenue" does not give much context to the placement of homes given the stipulated 235-foot landscape setback and primary entry feature. He stated that a more appropriate height restriction could be implemented to identify a maximum building height and apply the restriction to houses within a specified distance from the east property line.

Mr. Stranieri stated that the site is archaeologically sensitive and additional stipulations were warranted regarding City requirements for archaeological data testing.

Mr. Stranieri stated that the Street Transportation Department also indicated that 35th Avenue is in Maricopa County Department of Transportation (MCDOT) jurisdiction. He added that additional stipulations should be added to identify MCDOT's jurisdiction and ability to approve the final improvements. He stated that these stipulations would not conflict with existing right-of-way dedication stipulations because of the jurisdictional issue.

Mr. Stranieri stated that the Street Transportation Department had concerns regarding how the site plan proposes access from 35th Avenue and travel through the site to the west perimeter. He stated that a vehicle would need to make three to four turns to access the proposed future connection to the west. Ms. Caton stated that she had spoken with the Street Transportation Department and that they had come to a resolution regarding the connectivity. Mr. Stranieri stated that revisions may be made to the site plan due to the stipulations recommended by the Street Transportation Department. He stated that the recommended stipulations would be appropriately placed in conjunction with a general conformance stipulation to allow for flexibility to accommodate an appropriate street layout.

Mr. Stranieri stated that he was aware of the Laveen VPC meeting on Monday night and that there were 99 speaker cards submitted. He stated that there was over two hours of discussion and that a summary of the meeting was not yet available. He noted that he had also received more than 90 pieces of correspondence on the case. He stated that

he would like more time to review all of this material. Because of these reasons, the PHO stated that he would take the case under advisement.

FINDINGS

1) The subject property of this request includes the entire 59 acres that comprised the original rezoning case. However, the applicant only submitted plans addressing the approximately 19.4 acres of R1-8 zoned property on the eastern portion of the site, adjacent to 35th Avenue. Modifications are recommended to the applicant's request to ensure that the existing stipulations on the approximately 39.6 acres of R1-18 zoned property on the western portion of the site are not modified or deleted. Additionally, the applicant did not submit elevations with the request. The original stipulations included a general conformance requirement for building elevations. A modification is recommended to the applicant's request to require a future Planning Hearing Officer application for review of conceptual building elevations.

2) The stipulated site plan depicted 99 detached single-family units arranged in clusters of two and four, oriented towards common courtyards. There are also seven free-standing units depicted at the northwest corner of the site partially in the hillside-designated area. The proposed conceptual site plan depicts 92 units in a similar cluster-style arrangement. However, the units have been shifted east on the property, reducing the total massing of development in the designated hillside areas. Additionally, the homes are not oriented towards courtyards and instead include larger private driveways in the front yards. There is more open space preserved in the hillside area in the northwest portion of the site. There is also more open space adjacent to the private accessways (Tract "A") which separates the homes from the streets. Because the homes are closer to 35th Avenue, there is less open space provided along the east property line. See Finding #3 for a more detailed description of the recommendation for minimum open space and Finding #4 regarding the landscape setback on 35th Avenue.

3) An additional stipulation is recommended to require the developer provide a minimum of 26% open space, of which a minimum of 12% shall be usable open space. The conceptual site plan depicts 40.47% open space. However, there is no open space exhibit and the applicant indicated that a recalculation was necessary to adequately represent provided open space in the hillside area, setbacks, and other locations. The provision of 26% open space is compatible with the rural character of the surrounding area, consistent with other recent zoning actions in the Village, and significantly exceeds existing Ordinance standards.

4) The proposed reduction of the landscape setback on 35th Avenue from 235 feet (average) to minimum 100 feet accommodates the relocation of some residential units out of the designated hillside areas, consistent with the City approved slope analysis. The preservation of the hillside area will contribute to the rural character of the site and maintain this unique natural feature of the property. See

Finding #9 regarding the restoration of the disturbed area on the abandoned gravel mine that occupies a portion of the remainder of the site.

5) Approximately 2,300 feet to the east of the subject property are the Hangar Hacienda Units One, Two, and Three subdivisions. These properties are in Maricopa County jurisdiction. These communities are oriented around an air strip utilized by residents who own private aircraft. Based on comments from a resident in this community, the typical flight path runs directly over the subject property of this request. An additional stipulation is recommended regarding notification of the aviation uses on these properties for future residents.

6) The subject property is archaeologically sensitive. Three additional stipulations are recommended which outline the City's requirements regarding data testing, data recovery, and archaeological assessments and survey.

7) The public right-of-way along 35th Avenue and a small portion along Carver Road is in Maricopa County Department of Transportation (MCDOT) jurisdiction. There is also an active drainage project along the roadway. Therefore, additional stipulations are recommended to acknowledge that MCDOT shall determine the final width and dedications needed for the portion of right-of-way adjacent to the subject property. City of Phoenix Street Transportation staff noted that in discussions with MCDOT staff, MCDOT does not have immediate concerns regarding the location of proposed retention areas shown on the conceptual site plan in regard to the drainage project.

8) Original Stipulation 19 states that approval shall be conditioned upon the development commencing within 48 months of the City Council approval. For properties with similar stipulations, the Planning and Development Department has required that a Planning Hearing Officer (PHO) action be pursued to modify or delete these conditions at the time that development is proposed, if the proposed development has exceeded the timeframe identified in the stipulation. The applicant is pursuing this process through their request for deletion of the stipulation. The modification or deletion of this stipulation through a PHO action is unrelated to the zoning reversion process which is a separate public hearing process that is described in Section 506 of the Zoning Ordinance.

   The applicant's request for deletion of original Stipulation 19 is recommended for approval. The current proposal is consistent with the City Council's original intent to see the subject property redevelop with a single-family residential land use in the R1-8 zoning district. Additionally, the request is consistent with City Council approved General Plan Amendment GPA-LV-1-08-7, which established a Residential 3.5-5 dwelling units per gross acre land use designation on the approximately 19.35 acres that comprises the R1-8 zoned portion of the property. Both the proposed conceptual site plan, as modified by this recommendation, and the existing R1-8 zoning designation are consistent with this land use designation.

9) Original Stipulation 27, requiring terraced berms planted with deciduous trees, may result in an environment that contrasts with the natural landscape of the existing hillside in the surrounding area. The stipulated terraced berm configuration is not consistent with the irregular natural landscape of the existing hillside in the surrounding area and there are no deciduous trees on hillside locations in the immediate vicinity. Proposals for fill are commonly intended to continue and promote a natural slope line, rather than creating terracing and other unnatural finishes.

   There are a variety of alternatives to the stipulated requirement for terraced berms that may be considered for the site that would result in a more natural aesthetic to the restored hillside. These include chemical treatments and coloration to remove or camouflage scarring, hydroseeding of the slope to provide a mixture of natural grasses and plants which may also stabilize the slope, and roughening the cut or restored slope to integrate pockets for additional native landscaping.

   Modified stipulation language is recommended to allow the applicant to work with City staff on an alternative approach to restoring the quarry cut slope base to promote a more natural landscape along the hillside.

10) The provision of detached sidewalks is consistent with numerous City policy plans. 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. Additionally, the City Council adopted Guiding Principles for Complete Streets seeks to make Phoenix more walkable by promoting a safe and inviting pedestrian environment that encourages walkability and thermal comfort. These principles are also expressed and expanded upon throughout the 2015 General Plan.

    Therefore, the applicant's request to delete this requirement and instead stipulate a 5-foot sidewalk width is recommended for denial. However, the street layout on the proposed conceptual site plan may require the utilization of both private drives (between units) and private accessways (Tract "A"). There are different technical requirements and cross sections for these street types and it may be difficult to integrate detached sidewalks along both sides of private drives. A modification of the applicant's request is recommended to require that detached sidewalks shall be provided, as originally stipulated, along all streets that are developed as public streets or private accessways.

11) The Street Transportation Department noted that both original Stipulation 31 and the applicant's proposed modified language may create conflicts if the development is to include both attached and detached sidewalks. The City of Phoenix standard detail for detached sidewalks along private accessways requires vertical curbs. Attached sidewalks may be permitted to provide rolled curbs. Deletion of the stipulation will allow the appropriate detail to be utilized based on the final configuration of sidewalks at appropriate locations throughout the development.

12) Original Stipulation 39 required that homes along 35th Avenue would be limited to one-story. The stipulation did not specify a maximum building height. Additionally, it is unclear whether the stipulation was intended to apply to the individual units located closest to 35th Avenue or the entire clusters. The original stipulation may permit a variety of building heights and locations for height-restricted lots.

However, the intent of the stipulation was to mitigate the impacts of building height for units closest to 35th Avenue and would have impacted homes at approximately 235 feet (the stipulated average setback in original Stipulation 7). This remains a valid concern and consistent with the design of other recent projects in the Village. Therefore, the applicant's request for deletion of this stipulation is recommended for denial. An alternative stipulation is proposed that limits maximum building height to 20 feet for the 12 lots that are located within approximately 235 feet of 35th Avenue. This recommendation is intended to clarify the limitation on building height and identify the specific lots impacted.

DECISION: The Planning Hearing Officer took this case under advisement. On February 13, 2020 the Planning Hearing Officer took this case out from under advisement and recommended denial as filed and approval with modifications and additional stipulations.

STIPULATIONS

General		
~~1.~~	~~That development shall be in general conformance with the site plan date stamped October 8, 2007, and elevations date stamped February 20, 2007, as modified by the following stipulations, and as approved by the Development Services Department.~~	
1.	THE R1-8 DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED NOVEMBER 21, 2019, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT, AND WITH SPECIFIC REGARD TO THE FOLLOWING:	
	A.	THE DEVELOPER SHALL PROVIDE A PRIMARY ROADWAY FROM 35TH AVENUE EXTENDED TO THE WESTERN PROPERTY BOUNDARY, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
	B.	THE PRIMARY ROADWAY CONNECTING 35TH AVENUE TO THE WESTERN EDGE OF THE PROPERTY LINE SHALL TERMINATE AS A STUB STREET TO THE ADJACENT UNDEVELOPED LAND TO THE WEST TO PROVIDE FOR A FUTURE VEHICULAR CONNECTION.

2.	CONCEPTUAL ELEVATIONS FOR THE R1-8 DEVELOPMENT SHALL BE REVIEWED AND APPROVED BY THE PLANNING HEARING OFFICER THROUGH THE PUBLIC HEARING PROCESS FOR STIPULATION MODIFICATION PRIOR TO PRELIMINARY SITE PLAN APPROVAL. THIS IS A LEGISLATIVE REVIEW FOR CONCEPTUAL PURPOSES ONLY. SPECIFIC DEVELOPMENT STANDARDS AND REQUIREMENTS MAY BE DETERMINED BY THE PLANNING HEARING OFFICER AND THE PLANNING AND DEVELOPMENT DEPARTMENT.
3.	THE R1-18 DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED OCTOBER 8, 2007, AND ELEVATIONS DATE STAMPED FEBRUARY 20, 2007, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
4. ~~2.~~	~~That d~~Development of the R1-18 portion of the site shall not exceed 22 lots.
5. ~~3.~~	~~That d~~Development of the R1-8 portion of the site shall not exceed a density of 99 lots.
6.	THE R1-8 DEVELOPMENT SHALL PROVIDE A MINIMUM OF 26% OPEN SPACE, OF WHICH A MINIMUM OF 12% SHALL BE USABLE OPEN SPACE, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
Site Design	
7. ~~4.~~	~~That u~~Unobstructed pedestrian access (for the purpose of private pedestrian connectivity internal to the site) between the R1-18 and R1-8 portions of the site shall be provided, as approved by the PLANNING AND Development ~~Services~~ Department.
8. ~~5.~~	~~That n~~No solid wall in excess of three feet in height as measured from the finished grade, shall be located on the site (either in private lots or common tracts) except that solid walls greater than three feet in height shall be allowed for the following purposes, as approved by the PLANNING AND Development ~~Services~~ Department.
	a. Walls utilized to screen utilities, trash enclosures, or other facilities generally considered to be visually obtrusive.
	b. Retaining wall.
9. ~~6.~~	~~That n~~No more than 60,000 square feet of natural turf area shall be located within the common areas of the R1-8 portion of the site (this requirement does not apply

	to synthetic turf); if provided, common area natural turf should be centrally located and grouped so as to create one contiguous natural turf recreation area, as approved by the PLANNING AND Development ~~Services~~ Department.
10. ~~7.~~	~~That a 235-foot (average), 200-foot (minimum)~~ THE DEVELOPMENT SHALL PROVIDE A MINIMUM 100 FOOT landscaped setback ALONG THE EAST PROPERTY LINE ~~adjacent to 35th Avenue~~ ~~shall be provided~~, as approved by the PLANNING AND Development ~~Services~~ Department.
11. ~~8.~~	~~That a~~ A 50-foot (minimum) landscaped setback adjacent to Carver Road (final alignment) shall be provided, as approved by the PLANNING AND Development ~~Services~~ Department.
12. ~~9.~~	~~That t~~Those portions of spider and jeep trails which are not part of the approved grading envelopes, access drives, or other necessary site disturbance related to the proposed development of the R1-8 portion of the site shall be re-vegetated in a manner consistent with adjacent undisturbed vegetation, as approved by the PLANNING AND Development ~~Services~~ Department.
Disclosures	
13. ~~10.~~	~~That p~~Prior to final site plan approval, the property owner shall record documents that disclose to tenants of the site or purchasers of property within the site, the existence, proximity, and operational characteristics of active agricultural uses and non-domesticated animal keeping. 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.
14.	THAT PRIOR TO FINAL SITE PLAN APPROVAL, THE PROPERTY OWNER SHALL RECORD DOCUMENTS THAT DISCLOSE TO TENANTS OF THE SITE OR PURCHASERS OF PROPERTY WITHIN THE SITE, THE EXISTENCE, PROXIMITY, AND OPERATIONAL CHARACTERISTICS OF ACTIVE AVIATION USES IN THE HANGAR HACIENDAS UNITS ONE, TWO, AND THREE SUBDIVISIONS LOCATED APPROXIMATELY 2,300 FEET TO THE EAST OF THE SUBJECT PROPERTY IN MARICOPA COUNTY. 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.
Parks and Recreation	
15. ~~11.~~	~~That t~~The developer shall dedicate a multi-use trail easement and construct a multi-use trail, per adopted standards, along the north side of Carver Road, as approved by the Parks and Recreation Department.
Archaeology	

16. ~~12.~~	~~That t~~The applicant shall complete an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, or grading.
17.	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.
18.	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.
19.	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.
Street Transportation	
20. ~~13.~~	~~That r~~Right-of-way totaling 55 feet shall be dedicated for the west half of 35th Avenue, as approved by the Street Transportation Department. 35th Avenue shall be constructed using rural streets standards similar to Dobbins Road, as approved by the Street Transportation Department.
21. ~~14.~~	~~That r~~Right-of-way totaling 55 feet shall be dedicated for the west half of Carver Road, as approved by the Street Transportation Department. Carver Road shall be constructed using rural streets standards similar to Dobbins Road, as approved by the Street Transportation Department.
22.	THE DEVELOPER SHALL DEDICATE RIGHT-OF-WAY FOR 35TH AVENUE AS DETERMINED BY THE MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION (MCDOT) AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
23.	THE DEVELOPER SHALL DEDICATE RIGHT-OF-WAY FOR CARVER AVENUE AS DETERMINED BY THE MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION (MCDOT) AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

24. ~~15.~~	~~That a~~A traffic impact study shall be submitted to, and approved by, the Street Transportation Department prior to PLANNING AND Development ~~Services~~ Department prior to ~~Development Services Department~~ preliminary site plan approval. That all right-of-way dedications and associated infrastructure improvements as recommended by the traffic impact study shall be installed by the developer, as approved by the PLANNING AND Development ~~Services~~ Department.
25. ~~16.~~	~~That t~~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 modified by these stipulations, and as approved by the Street Transportation Department. All improvements shall comply with all American with Disabilities Act accessibility standards.
26. ~~17.~~	~~That t~~The applicant shall complete and submit the Developer Project Information Form for the Maricopa Association of Governments Transportation Improvement Program. This form is a requirement of the Environmental Protection Agency to meet clean air quality requirements.
27. ~~18.~~	~~That p~~Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims utilizing the provided template. The waiver shall be recorded with the Maricopa County Recorder's Office and a copy shall be provided to the PLANNING AND Development ~~Services~~ Department for the case files.
~~19.~~	~~That approval shall be conditional upon the development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of the building walls on site.~~
Neighborhood	
28. ~~20.~~	~~That b~~Building pad cuts shall be terraced if more than 6 feet in height and treated with a stain, gunnite, or equivalent finish, as approved by the PLANNING AND Development ~~Services~~ Department.
29. ~~21.~~	~~That a~~All two story homes, within the R1-18 portion of the site, shall be designed in a manner such that the square footage of the second story floor area does not exceed 66 percent of the first story floor area does not exceed 66 percent of the first story floor area, as approved by the PLANNING AND Development ~~Services~~ Department.
30. ~~22.~~	~~That c~~Concrete channels shall be designed to look natural in the desert setting through color, texture, landscaping, or other means, as approved by the PLANNING AND Development ~~Services~~ Department.

31. ~~23.~~	~~That t~~The use of riprap and engineered culverts shall be minimized and, where utilized, shall be integrated with the desert setting through color, texture, soil plating, landscaping, or other means, as approved by the PLANNING AND Development ~~Services~~ Department. To the extent possible, culverts shall be undersized to allow minor flows (10 cfs or smaller) to cross roadways in their natural condition.
32. ~~24.~~	~~That w~~Washes with a one-hundred-year peak flow of 200 cfs or greater shall be preserved and enhanced with native vegetation as described in Appendix A, Approved Plant Species List for Sonoran Preserve Edge Treatment Guidelines, as approved by the PLANNING AND Development ~~Services~~ Department.
33. ~~25.~~	~~That l~~Lots with 2 or more sides abutting undisturbed open space shall be designed with obtuse angles, rather than right angles or acute angles, as approved by the PLANNING AND Development ~~Services~~ Department.
34. ~~26.~~	~~That o~~On non-hillside lots within the R1-18 portion of the development, all improvements, including driveways, landscaping, and underground utilities shall be located within a building envelope occupying no more than 50 percent of the lot up to a maximum of 20,000 square feet, whichever is less, as approved by the PLANNING AND Development ~~Services~~ Department.
35. ~~27.~~	~~That a~~ A minimum of three terraced berms with 2:1 fill slopes shall be installed along the full length of the quarry cut slope base. The terraces shall BE LIMITED TO A MAXIMUM HEIGHT OF ~~be~~ 8 feet ~~tall, minimum, a~~nd shall be PLANTED ~~plated~~ with a staggered combination of 2-inch and 4-inch caliper, drought resistant, deciduous trees at 25 feet ON center OR IN EQUIVALENT GROUPINGS ~~to center~~, as approved OR MODIFIED by the PLANNING AND Development ~~Services~~ Department. THE DEVELOPER MAY ALSO IMPLEMENT ALTERNATIVE SOLUTIONS FOR THE NATURALIZING AND BLENDING OF THE QUARRY CUT SLOPE WITH THE ADJACENT UNDISTURBED HILLSIDE AREA, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
36. ~~28.~~	~~That s~~Solid block walls, except for retaining walls or privacy fencing on individual lots, shall not be constructed outside of the building envelopes for the R1-18 portion of the site, as approved by the PLANNING AND Development ~~Services~~ Department. Fencing constructed outside of the building envelope shall be combination solid/view fencing. In addition, all fencing above the 15 percent slope line shall be 100 percent view fencing.
37. ~~29.~~	~~That t~~The entire 60-acre site shall have no perimeter fencing, as approved by the PLANNING AND Development ~~Services~~ Department.
38. ~~30.~~	~~That p~~Private roadways within the R1-18 portion of the site shall be provided with ribbon curbs and colored asphalt, as approved by the PLANNING AND

	Development ~~Services~~ Department.	
39. ~~31.~~	~~That private roadways within the R1-8 portion of the site shall be provided with a raised, vertical curb, as approved by the Development Services Department.~~	
40. ~~32.~~	~~That a~~All HVAC units shall be ground mounted.	
41. ~~33.~~	~~That a~~All street lighting and wall mounted security fixtures shall be full cut off lighting. Fixture height shall be a maximum of 12 feet. Street lighting fixtures shall be decorative and have a consistent architectural theme, as approved by the PLANNING AND Development ~~Services~~ Department.	
42. ~~34.~~	~~That b~~Bollards shall be used for accent lighting at the primary access, entry monument, driveways, and trail crossings, as approved by the PLANNING AND Development ~~Services~~ Department. Photovoltaic energy sources for bollard lighting shall be provided.	
43. ~~35.~~	~~That a~~Any request to delete or modify these stipulations SHALL be preceded by A presentation to the Laveen Village Planning Committee (VPC) for review and recommendation, and notification to the following persons two weeks prior to presentation at the VPC:	
	a.	Jon Kimoto, 3216 West Ansell Road, Laveen, 85339
	b.	Cyd Manning, P.O. Box 41234, Mesa, 85274
	c.	Judy Brown, P.O. Box 41234, Mesa, 85274
	d.	Christine Dicken, 10827 South 30th Avenue, Laveen, 85339
	e.	Richard Birnbaum, 11014 South 35th Avenue, Laveen, 85339
	f.	Phil Hertel, ~~2300~~ 2845 West Broadway Road, Phoenix, 85041
	g.	Steven Klein, 6820 South 66th Avenue, Laveen, 85339
44. ~~36.~~	~~That t~~The following individuals shall be notified of any and all PLANNING AND Development ~~Services~~ Department ~~(DSD)~~ meetings which are open to the public. The applicant shall be responsible for notification to the following via a first-class letter to be mailed at least two weeks prior to the ~~DSD~~ meeting(s):	
	a.	Jon Kimoto, 3216 West Ansell Road, Laveen, 85339
	b.	Cyd Manning, P.O. Box 41234, Mesa, 85274

	c.	Judy Brown, P.O. Box 41234, Mesa, 85274
	d.	Christine Dicken, 10827 South 30th Avenue, Laveen, 85339
	e.	Richard Birnbaum, 11014 South 35th Avenue, Laveen, 85339
	f.	Phil Hertel, ~~2300~~ 2845 West Broadway Road, Phoenix, 85041
	g.	Steven Klein, 6820 South 66th Avenue, Laveen, 85339
45. ~~37.~~	~~That a~~All sidewalks, within the R1-8 portion of the site, WHICH ARE DEVELOPED ALONG STREETS DEVELOPED AS PUBLIC STREETS OR PRIVATE ACCESSWAYS shall be detached with a minimum five-foot wide landscaped strip located between the sidewalk and back of curb and shall include minimum two-inch caliper shade trees planted ~~a minimum rate of~~ 20 feet on center or IN equivalent groupings along both sides of the sidewalk, as approved OR MODIFIED by the PLANNING AND Development ~~Services~~ Department. The landscape strip shall be installed by the developer and maintained by the homeowners' association.	
46. ~~38.~~	~~That a~~A mix of two and three-inch caliper trees shall be provided within all required common open space tracts. With the exception of the open space area adjacent to 35th Avenue, the species of trees provided shall shade 50 percent of the area of the open space at tree maturity, as approved by the PLANNING AND Development ~~Services~~ Department.	
47. ~~39.~~	~~That only one-story homes shall be located along 35th Avenue.~~ LOTS 52-61 AND 82-83, LOCATED ALONG 35TH AVENUE AND AS DEPICTED ON THE SITE PLAN DATE STAMPED NOVEMBER 21, 2019, ARE LIMITED TO A MAXIMUM BUILDING HEIGHT OF 20 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.	
48. ~~40.~~	~~That a~~A detailed site plan, landscaping plan, elevations, perimeter fence or wall plan, lighting plan, and entry monument signage shall be reviewed by the Laveen Village Planning Committee prior to preliminary site plan approval by the PLANNING AND Development ~~Services~~ Department.	

Upon request, this publication will be made available within a reasonable length of time through appropriate auxiliary aids or services to accommodate an individual with a disability. This publication may be made available through the following auxiliary aids or services: large print, Braille, audiotape or computer diskette. Please contact the Planning and Development Department, Tamra Ingersoll at voice number 602-534-6648 or TTY use 7-1-1.

ATTACHMENT L

The contents of this attachment will be a separate attachment in the City Council packet

REPORT OF PLANNING COMMISSION ACTION
May 7, 2020

ITEM NO: 10	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	PHO-1-19--Z-165-06-7(8)
Location:	Northwest corner of 35th Avenue and Carver Road
Request:	• Modification of Stipulation No. 1 regarding general conformance to the site plan date stamped October 8, 2007 and elevations date stamped February 20, 2007 • Modification of Stipulation No. 7 regarding the landscape setback adjacent to 35th Avenue • Deletion of Stipulation No. 19 regarding conditional development approval • Modification of Stipulation No. 27 regarding height of terraced berms along the quarry cut slope base • Modification of Stipulation No. 31 regarding raised, vertical curbs within the R1-18 portion of the site • Modification of Stipulation No. 37 regarding detached sidewalks and landscape strips within the R1-8 portion of the site • Deletion of Stipulation No. 39 regarding one-story homes along 35th Avenue • Technical corrections to Stipulation Nos. 4, 5, 6, 8, 9, 15, 18, 20, 21, 22, 23, 24, 25, 26, 28, 29, 30, 33, 34, 36, 38 and 40
Acreage:	59.48
Applicant:	Jennifer Hall, Rose Law Group
Owner:	Virtua 35th, LLC
Representative:	Tom Galvin, Rose Law Group

ACTIONS:

Staff Recommendation: Denial as filed and approval with modifications and additional stipulations as recommended by the Planning Hearing Officer.

Village Planning Committee (VPC) Recommendation:
Laveen 1/13/2020 Denial. Vote: 11-0.
The Laveen Village Planning Committee motion also included a request that the Planning Hearing Officer recommend to the Planning Commission to initiate a zoning reversion for the site.

Planning Hearing Officer Recommendation:
January 15, 2020 The Planning Hearing Officer took this case under advisement.
February 13, 2020 The Planning Hearing Officer took this case out from under advisement and recommended denial as filed and approval with modifications and additional stipulations.

Planning Commission Recommendation: Continuance to the June 4, 2020 Planning Commission hearing, without fee.

Motion Discussion:

Commissioner Gorraiz made a MOTION to table the item to an undetermined time to allow the applicant to work on a compromise with the community. Then they can bring the case back when they are ready.

Commissioner Gorraiz stated that he would be more likely to support the side that has seemed to work out the issues and would not support the side that is not willing to work it out. That would not be reasonable.

Chairman Johnson clarified the motion. Commissioner Gorraiz moved to continue PHO-1-19--Z-165-06-7(8) to the next meeeting.

Commissioner Gorraiz responded that he does not want a set time limit.

Chairman Johnson recommended that it be moved to the next agenda and it could always be continued again.

Commissioner Gorraiz agreed to modify his motion to continue the item for one month.

Commissioner Shank asked if the motion could include a continuance without fee.

Commissioner Gorraiz agreed.

Chairman Johnson clarified the motion. Commissioner Gorraiz moved to continue PHO-1-19--Z-165-06-7(8) to the next meeeting, without fee. He asked if there was a second to the motion.

Commissioner Gaynor seconded the motion.

Racelle Escolar verified that the the next Planning Commission hearing is June 4th.

The motion passed by an 8 to 0 vote.

Motion details: Commissioner Gorraiz made a MOTION to continue PHO-1-19--Z-165-06-7(8) to the June 4, 2020 Planning Commission hearing, without fee.

Maker: Gorraiz
Second: Gaynor
Vote: 8-0
Absent: Montalvo
Opposition Present: Yes

This publication can be made available in alternate format upon request. Please contact Tamra Ingersoll at (602) 534-6648, TTY use 7-1-1.

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

To: City of Phoenix Planning Commission **Date:** June 4, 2020

From: Racelle Escolar
Planner III

Subject: ITEM NO. 18 (PHO-1-19--Z-165-06-7(8)) – NORTHWEST CORNER OF 35TH AVENUE AND CARVER ROAD

This memo is to provide a revised staff recommendation that addresses a revised site plan submitted by the applicant and date stamped May 26, 2020.

On May 7, 2020 the Planning Commission continued the case to the June 4, 2020 hearing to allow the applicant to work on a compromise with the community. Since the May Planning Commission hearing, the applicant conducted additional outreach and submitted a revised site plan. The applicant has proposed a new lot configuration and reduced the number of lots from 92 to 63. These site plan changes require modifications to the stipulations recommended by the Planning Hearing Officer.

The Planning Hearing Officer's recommendation regarding Stipulation 1 requires that the R1-8 development be in general conformance with the site plan date stamped November 21, 2019. The recommended revision updates this date to reflect the revised site plan date stamped May 26, 2020.

The Planning Hearing Officer's recommendation regarding Stipulation 47 limits the maximum building height to 20 feet for lots 52-61 and 82-83 as depicted on the site plan date stamped November 21, 2019. The recommended revision updates the impacted lot numbers to reflect the revised site plan date stamped May 26, 2020.

VILLAGE PLANNING COMMITTEE RECOMMENDATION

The Laveen Village Planning Committee heard this case on January 13, 2020 and recommended denial by a vote of 11-0. The Laveen VPC motion also included a request that the Planning Hearing Officer recommend to the Planning Commission to initiate a zoning reversion for the site.

PLANNING HEARING OFFICER RECOMMENDATION

The Planning Hearing Officer heard this request on January 15, 2020 and took this case under advisement. On February 13, 2020 the Planning Hearing Officer took this case out from under advisement and recommended denial as filed and approval with modifications and additional stipulations.

Staff recommends approval per the Planning Hearing Officer recommendation with modifications to Stipulation Nos 1 and 47 as shown below in bold text:

General

~~1. That development shall be in general conformance with the site plan date stamped October 8, 2007, and elevations date stamped February 20, 2007, as modified by the following stipulations, and as approved by the Development Services Department.~~

1. THE R1-8 DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED ~~**NOVEMBER 21, 2019**~~ **MAY 26,2020**, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT, AND WITH SPECIFIC REGARD TO THE FOLLOWING:

   A. THE DEVELOPER SHALL PROVIDE A PRIMARY ROADWAY FROM 35TH AVENUE EXTENDED TO THE WESTERN PROPERTY BOUNDARY, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

   B. THE PRIMARY ROADWAY CONNECTING 35TH AVENUE TO THE WESTERN EDGE OF THE PROPERTY LINE SHALL TERMINATE AS A STUB STREET TO THE ADJACENT UNDEVELOPED LAND TO THE WEST TO PROVIDE FOR A FUTURE VEHICULAR CONNECTION.

2. CONCEPTUAL ELEVATIONS FOR THE R1-8 DEVELOPMENT SHALL BE REVIEWED AND APPROVED BY THE PLANNING HEARING OFFICER THROUGH THE PUBLIC HEARING PROCESS FOR STIPULATION MODIFICATION PRIOR TO PRELIMINARY SITE PLAN APPROVAL. THIS IS A LEGISLATIVE REVIEW FOR CONCEPTUAL PURPOSES ONLY. SPECIFIC DEVELOPMENT STANDARDS AND REQUIREMENTS MAY BE DETERMINED BY THE PLANNING HEARING OFFICER AND THE PLANNING AND DEVELOPMENT DEPARTMENT.

3. THE R1-18 DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED OCTOBER 8, 2007, AND ELEVATIONS DATE STAMPED FEBRUARY 20, 2007, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

4. ~~That d~~Development of the R1-18 portion of the site shall not exceed 22 lots.
~~2.~~

5. ~~That d~~Development of the R1-8 portion of the site shall not exceed a density of
~~3.~~ 99 lots.

6. THE R1-8 DEVELOPMENT SHALL PROVIDE A MINIMUM OF 26% OPEN SPACE, OF WHICH A MINIMUM OF 12% SHALL BE USABLE OPEN SPACE, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

Site Design

7. ~~4.~~ ~~That u~~Unobstructed pedestrian access (for the purpose of private pedestrian connectivity internal to the site) between the R1-18 and R1-8 portions of the site shall be provided, as approved by the PLANNING AND Development ~~Services~~ Department.

8. ~~5.~~ ~~That n~~No solid wall in excess of three feet in height as measured from the finished grade, shall be located on the site (either in private lots or common tracts) except that solid walls greater than three feet in height shall be allowed for the following purposes, as approved by the PLANNING AND Development ~~Services~~ Department.

   a. Walls utilized to screen utilities, trash enclosures, or other facilities generally considered to be visually obtrusive.

   b. Retaining wall.

9. ~~6.~~ ~~That n~~No more than 60,000 square feet of natural turf area shall be located within the common areas of the R1-8 portion of the site (this requirement does not apply to synthetic turf); if provided, common area natural turf should be centrally located and grouped so as to create one contiguous natural turf recreation area, as approved by the PLANNING AND Development ~~Services~~ Department.

10. ~~7.~~ ~~That a 235-foot (average), 200-foot (minimum)~~ THE DEVELOPMENT SHALL PROVIDE A MINIMUM 100 FOOT landscaped setback ALONG THE EAST PROPERTY LINE ~~adjacent to 35th Avenue shall be provided~~, as approved by the PLANNING AND Development ~~Services~~ Department.

11. ~~8.~~ ~~That a~~ A 50-foot (minimum) landscaped setback adjacent to Carver Road (final alignment) shall be provided, as approved by the PLANNING AND Development ~~Services~~ Department.

12. ~~9.~~ ~~That t~~Those portions of spider and jeep trails which are not part of the approved grading envelopes, access drives, or other necessary site disturbance related to the proposed development of the R1-8 portion of the site shall be re-vegetated in a manner consistent with adjacent undisturbed vegetation, as approved by the PLANNING AND Development ~~Services~~ Department.

Disclosures

13. ~~That p~~Prior to final site plan approval, the property owner shall record documents
~~10.~~ that disclose to tenants of the site or purchasers of property within the site, the existence, proximity, and operational characteristics of active agricultural uses and non-domesticated animal keeping. 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.

14. THAT PRIOR TO FINAL SITE PLAN APPROVAL, THE PROPERTY OWNER SHALL RECORD DOCUMENTS THAT DISCLOSE TO TENANTS OF THE SITE OR PURCHASERS OF PROPERTY WITHIN THE SITE, THE EXISTENCE, PROXIMITY, AND OPERATIONAL CHARACTERISTICS OF ACTIVE AVIATION USES IN THE HANGAR HACIENDAS UNITS ONE, TWO, AND THREE SUBDIVISIONS LOCATED APPROXIMATELY 2,300 FEET TO THE EAST OF THE SUBJECT PROPERTY IN MARICOPA COUNTY. 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.

Parks and Recreation

15. ~~That t~~The developer shall dedicate a multi-use trail easement and construct a
~~11.~~ multi-use trail, per adopted standards, along the north side of Carver Road, as approved by the Parks and Recreation Department.

Archaeology

16. ~~That t~~The applicant shall complete an archaeological survey report of the
~~12.~~ development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, or grading.

17. 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.

18. 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.

19. 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.

Street Transportation

20. ~~That r~~Right-of-way totaling 55 feet shall be dedicated for the west half of 35th ~~13.~~ Avenue, as approved by the Street Transportation Department. 35th Avenue shall be constructed using rural streets standards similar to Dobbins Road, as approved by the Street Transportation Department.

21. ~~That r~~Right-of-way totaling 55 feet shall be dedicated for the west half of Carver ~~14.~~ Road, as approved by the Street Transportation Department. Carver Road shall be constructed using rural streets standards similar to Dobbins Road, as approved by the Street Transportation Department.

22. THE DEVELOPER SHALL DEDICATE RIGHT-OF-WAY FOR 35TH AVENUE AS DETERMINED BY THE MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION (MCDOT) AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

23. THE DEVELOPER SHALL DEDICATE RIGHT-OF-WAY FOR CARVER ROAD AS DETERMINED BY THE MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION (MCDOT) AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

24. ~~That a~~A traffic impact study shall be submitted to, and approved by, the Street ~~15.~~ Transportation Department prior to PLANNING AND Development ~~Services~~ Department preliminary site plan approval. That all right-of-way dedications and associated infrastructure improvements as recommended by the traffic impact study shall be installed by the developer, as approved by the PLANNING AND Development ~~Services~~ Department.

25. ~~That t~~The developer shall construct all streets within and adjacent to the ~~16.~~ development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals, as modified by these stipulations, and as approved by the Street Transportation Department. All improvements shall comply with all AmericanS with Disabilities Act accessibility standards.

26. ~~That t~~The applicant shall complete and submit the Developer Project Information ~~17.~~ Form for the Maricopa Association of Governments Transportation Improvement Program. This form is a requirement of the Environmental Protection Agency to meet clean air quality requirements.

27. ~~That p~~Prior to preliminary site plan approval, the landowner shall execute a ~~18.~~ Proposition 207 waiver of claims utilizing the provided template. The waiver shall be recorded with the Maricopa County Recorder’s Office and a copy shall be provided to the PLANNING AND Development ~~Services~~ Department for the case files.

~~19. That approval shall be conditional upon the development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of the building walls on site.~~

Neighborhood

28. ~~That b~~Building pad cuts shall be terraced if more than 6 feet in height and treated
~~20.~~ with a stain, gunnite, or equivalent finish, as approved by the PLANNING AND Development ~~Services~~ Department.

29. ~~That a~~All two story homes, within the R1-18 portion of the site, shall be designed
~~21.~~ in a manner such that the square footage of the second story floor area does not exceed 66 percent of the first story floor area does not exceed 66 percent of the first story floor area, as approved by the PLANNING AND Development ~~Services~~ Department.

30. ~~That c~~Concrete channels shall be designed to look natural in the desert setting
~~22.~~ through color, texture, landscaping, or other means, as approved by the PLANNING AND Development ~~Services~~ Department.

31. ~~That t~~The use of riprap and engineered culverts shall be minimized and, where
~~23.~~ utilized, shall be integrated with the desert setting through color, texture, soil plating, landscaping, or other means, as approved by the PLANNING AND Development ~~Services~~ Department. To the extent possible, culverts shall be undersized to allow minor flows (10 cfs or smaller) to cross roadways in their natural condition.

32. ~~That w~~Washes with a one-hundred-year peak flow of 200 cfs or greater shall be
~~24.~~ preserved and enhanced with native vegetation as described in Appendix A, Approved Plant Species List for Sonoran Preserve Edge Treatment Guidelines, as approved by the PLANNING AND Development ~~Services~~ Department.

33. ~~That l~~Lots with 2 or more sides abutting undisturbed open space shall be
~~25.~~ designed with obtuse angles, rather than right angles or acute angles, as approved by the PLANNING AND Development ~~Services~~ Department.

34. ~~That o~~On non-hillside lots within the R1-18 portion of the development, all
~~26.~~ improvements, including driveways, landscaping, and underground utilities shall be located within a building envelope occupying no more than 50 percent of the lot up to a maximum of 20,000 square feet, whichever is less, as approved by the PLANNING AND Development ~~Services~~ Department.

35. ~~That a~~ A minimum of three terraced berms with 2:1 fill slopes shall be installed
~~27.~~ along the full length of the quarry cut slope base. The terraces shall BE LIMITED TO A MAXIMUM HEIGHT OF ~~be~~ 8 feet ~~tall, minimum,~~ and shall be PLANTED

~~plated~~ with a staggered combination of 2-inch and 4-inch caliper, drought resistant, deciduous trees at 25 feet ON center OR IN EQUIVALENT GROUPINGS ~~to center~~, as approved OR MODIFIED by the PLANNING AND Development ~~Services~~ Department.

THE DEVELOPER MAY ALSO IMPLEMENT ALTERNATIVE SOLUTIONS FOR THE NATURALIZING AND BLENDING OF THE QUARRY CUT SLOPE WITH THE ADJACENT UNDISTURBED HILLSIDE AREA, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

36. ~~That s~~Solid block walls, except for retaining walls or privacy fencing on individual ~~28.~~ lots, shall not be constructed outside of the building envelopes for the R1-18 portion of the site, as approved by the PLANNING AND Development ~~Services~~ Department. Fencing constructed outside of the building envelope shall be combination solid/view fencing. In addition, all fencing above the 15 percent slope line shall be 100 percent view fencing.

37. ~~That t~~The entire 60-acre site shall have no perimeter fencing, as approved by the ~~29.~~ PLANNING AND Development ~~Services~~ Department.

38. ~~That p~~Private roadways within the R1-18 portion of the site shall be provided with ~~30.~~ ribbon curbs and colored asphalt, as approved by the PLANNING AND Development ~~Services~~ Department.

39. ~~That private roadways within the R1-8 portion of the site shall be provided with a~~ ~~31.~~ ~~raised, vertical curb, as approved by the Development Services Department.~~

40. ~~That a~~All HVAC units shall be ground mounted.
~~32.~~

41. ~~That a~~All street lighting and wall mounted security fixtures shall be full cut off ~~33.~~ lighting. Fixture height shall be a maximum of 12 feet. Street lighting fixtures shall be decorative and have a consistent architectural theme, as approved by the PLANNING AND Development ~~Services~~ Department.

42. ~~That b~~Bollards shall be used for accent lighting at the primary access, entry ~~34.~~ monument, driveways, and trail crossings, as approved by the PLANNING AND Development ~~Services~~ Department. Photovoltaic energy sources for bollard lighting shall be provided.

43. ~~That a~~Any request to delete or modify these stipulations SHALL be preceded by ~~35.~~ A presentation to the Laveen Village Planning Committee (VPC) for review and recommendation, and notification to the following persons two weeks prior to presentation at the VPC:

a. Jon Kimoto, 3216 West Ansell Road, Laveen, 85339

b. Cyd Manning, P.O. Box 41234, Mesa, 85274

c. Judy Brown, P.O. Box 41234, Mesa, 85274

d. Christine Dicken, 10827 South 30th Avenue, Laveen, 85339

e. Richard Birnbaum, 11014 South 35th Avenue, Laveen, 85339

f. Phil Hertel, ~~2300~~ 2845 West Broadway Road, Phoenix, 85041

g. Steven Klein, 6820 South 66th Avenue, Laveen, 85339

44. ~~That t~~The following individuals shall be notified of any and all PLANNING AND
~~36.~~ Development ~~Services~~ Department ~~(DSD)~~ meetings which are open to the public. The applicant shall be responsible for notification to the following via a first-class letter to be mailed at least two weeks prior to the ~~DSD~~ meeting(s):

a. Jon Kimoto, 3216 West Ansell Road, Laveen, 85339

b. Cyd Manning, P.O. Box 41234, Mesa, 85274

c. Judy Brown, P.O. Box 41234, Mesa, 85274

d. Christine Dicken, 10827 South 30th Avenue, Laveen, 85339

e. Richard Birnbaum, 11014 South 35th Avenue, Laveen, 85339

f. Phil Hertel, ~~2300~~ 2845 West Broadway Road, Phoenix, 85041

g. Steven Klein, 6820 South 66th Avenue, Laveen, 85339

45. ~~That a~~All sidewalks, within the R1-8 portion of the site, WHICH ARE
~~37.~~ DEVELOPED ALONG STREETS DEVELOPED AS PUBLIC STREETS OR PRIVATE ACCESSWAYS shall be detached with a minimum five-foot wide landscaped strip located between the sidewalk and back of curb and shall include minimum two-inch caliper shade trees planted ~~a minimum rate of~~ 20 feet on center or IN equivalent groupings along both sides of the sidewalk, as approved OR MODIFIED by the PLANNING AND Development ~~Services~~ Department. The landscape strip shall be installed by the developer and maintained by the homeowners' association.

46. ~~That a~~A mix of two and three-inch caliper trees shall be provided within all
~~38.~~ required common open space tracts. With the exception of the open space area adjacent to 35th Avenue, the species of trees provided shall shade 50 percent of the area of the open space at tree maturity, as approved by the PLANNING AND Development ~~Services~~ Department.

47. ~~That only one-story homes shall be located along 35th Avenue.~~
~~39.~~

LOTS ~~**52-61 AND 82-83**~~ **1-7**, LOCATED ALONG 35TH AVENUE AND AS DEPICTED ON THE SITE PLAN DATE STAMPED ~~**NOVEMBER 21, 2019**~~ **MAY 26, 2020**, ARE LIMITED TO A MAXIMUM BUILDING HEIGHT OF 20 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

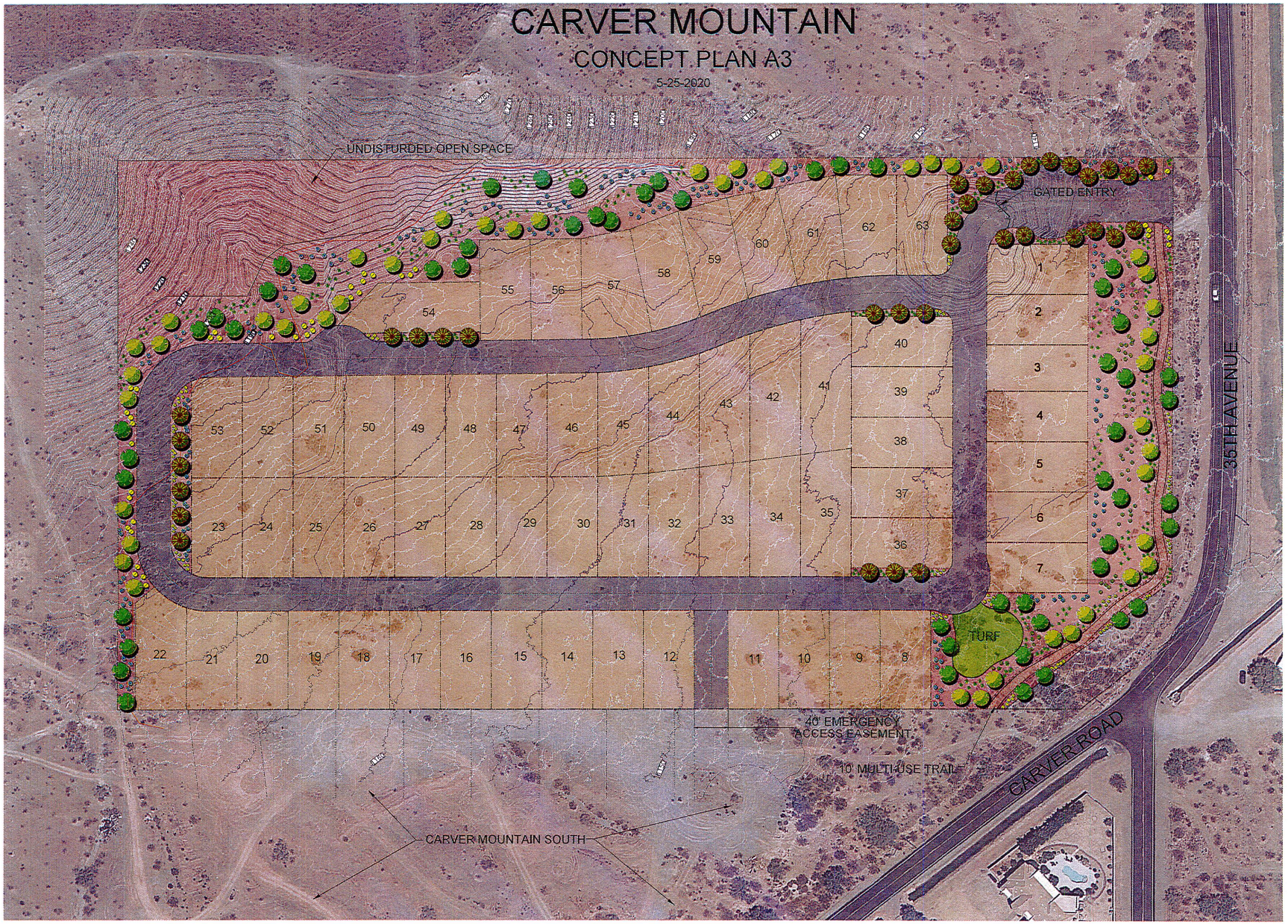
48. ~~That a~~A detailed site plan, landscaping plan, elevations, perimeter fence or wall
~~40.~~ plan, lighting plan, and entry monument signage shall be reviewed by the Laveen Village Planning Committee prior to preliminary site plan approval by the PLANNING AND Development ~~Services~~ Department.

Exhibit A:
Conceptual Site Plan date stamped May 26, 2020

CARVER MOUNTAIN

CONCEPT PLAN A3

5-25-2020



CITY OF PHOENIX

MAY 26 2020

Planning & Development Department

NORTH

SCALE: 1" = 50'

0 50 100 150

Land Development Engineering, LLC

3420 East Shea Blvd, Suite 156
Phoenix, Arizona 85028

Office 602.396.5700
www.LDEaz.com

REPORT OF PLANNING COMMISSION ACTION
June 4, 2020

ITEM NO: 18	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	PHO-1-19--Z-165-06-7(8)
Location:	Northwest corner of 35th Avenue and Carver Road
Request:	• Modification of Stipulation No. 1 regarding general conformance to the site plan date stamped October 8, 2007 and elevations date stamped February 20, 2007 • Modification of Stipulation No. 7 regarding the landscape setback adjacent to 35th Avenue • Deletion of Stipulation No. 19 regarding conditional development approval • Modification of Stipulation No. 27 regarding height of terraced berms along the quarry cut slope base • Modification of Stipulation No. 31 regarding raised, vertical curbs within the R1-18 portion of the site • Modification of Stipulation No. 37 regarding detached sidewalks and landscape strips within the R1-8 portion of the site • Deletion of Stipulation No. 39 regarding one-story homes along 35th Avenue • Technical corrections to Stipulation Nos. 4, 5, 6, 8, 9, 15, 18, 20, 21, 22, 23, 24, 25, 26, 28, 29, 30, 33, 34, 36, 38 and 40
Acreage:	59.48
Applicant:	Jennifer Hall, Rose Law Group
Owner:	Virtua 35th, LLC
Representative:	Tom Galvin, Rose Law Group

ACTIONS:

Staff Recommendation: Denial as filed and approval with modifications and additional stipulations as recommended by the Planning Hearing Officer.

Village Planning Committee (VPC) Recommendation:
Laveen 1/13/2020 Denial. Vote: 11-0.
The Laveen Village Planning Committee motion also included a request that the Planning Hearing Officer recommend to the Planning Commission to initiate a zoning reversion for the site.

Planning Hearing Officer Recommendation:
January 15, 2020 The Planning Hearing Officer took this case under advisement.
February 13, 2020 The Planning Hearing Officer took this case out from under advisement and recommended denial as filed and approval with modifications and additional stipulations.

Planning Commission Recommendation: Approval, per staff memo dated June 4, 2020 with a modified stipulation and direction for the applicant to modify the application prior to the City Council meeting.

Motion Discussion: N/A

Motion details: Commissioner Busching made a MOTION to approve PHO-1-19--Z-165-06-7(8), per staff memo dated June 4, 2020 with a modification to Stipulation No. 6 to reduce the useable open space from 12% to 8% and direction for the applicant to modify the application prior to the City Council meeting to modify Stipulation No. 5 to reflect the number of lots on the site plan.

Maker: Busching
Second: Shank
Vote: 8-0
Absent: Howard
Opposition Present: Yes

Findings:

1. The subject property of this request includes the entire 59 acres that comprised the original rezoning case. However, the applicant only submitted plans addressing the approximately 19.4 acres of R1-8 zoned property on the eastern portion of the site, adjacent to 35th Avenue. Modifications are recommended to the applicant's request to ensure that the existing stipulations on the approximately 39.6 acres of R1-18 zoned property on the western portion of the site are not modified or deleted. Additionally, the applicant did not submit elevations with the request. The original stipulations included a general conformance requirement for building elevations. A modification is recommended to the applicant's request to require a future Planning Hearing Officer application for review of conceptual building elevations.

2. The stipulated site plan depicted 99 detached single-family units arranged in clusters of two and four, oriented towards common courtyards. There are also seven free-standing units depicted at the northwest corner of the site partially in the hillside-designated area. The proposed conceptual site plan depicts 92 units in a similar cluster-style arrangement. However, the units have been shifted east on the property, reducing the total massing of development in the designated hillside areas. Additionally, the homes are not oriented towards courtyards and instead include larger private driveways in the front yards. There is more open space preserved in the hillside area in the northwest portion of the site. There is also more open space adjacent to the private accessways (Tract "A") which separates the homes from the streets. Because the homes are closer to 35th Avenue, there is less open space provided along the east property line. See Finding #3 for a more detailed description of the recommendation for minimum open space and Finding #4 regarding the landscape setback on 35th Avenue.

3. An additional stipulation is recommended to require the developer provide a minimum of 26% open space, of which a minimum of 12% shall be usable open space. The conceptual site plan depicts 40.47% open space. However,

there is no open space exhibit and the applicant indicated that a recalculation was necessary to adequately represent provided open space in the hillside area, setbacks, and other locations. The provision of 26% open space is compatible with the rural character of the surrounding area, consistent with other recent zoning actions in the Village, and significantly exceeds existing Ordinance standards.

4. The proposed reduction of the landscape setback on 35th Avenue from 235 feet (average) to minimum 100 feet accommodates the relocation of some residential units out of the designated hillside areas, consistent with the City approved slope analysis. The preservation of the hillside area will contribute to the rural character of the site and maintain this unique natural feature of the property. See Finding #9 regarding the restoration of the disturbed area on the abandoned gravel mine that occupies a portion of the remainder of the site.

5. Approximately 2,300 feet to the east of the subject property are the Hangar Hacienda Units One, Two, and Three subdivisions. These properties are in Maricopa County jurisdiction. These communities are oriented around an air strip utilized by residents who own private aircraft. Based on comments from a resident in this community, the typical flight path runs directly over the subject property of this request. An additional stipulation is recommended regarding notification of the aviation uses on these properties for future residents.

6. The subject property is archaeologically sensitive. Three additional stipulations are recommended which outline the City's requirements regarding data testing, data recovery, and archaeological assessments and survey.

7. The public right-of-way along 35th Avenue and a small portion along Carver Road is in Maricopa County Department of Transportation (MCDOT) jurisdiction. There is also an active drainage project along the roadway. Therefore, additional stipulations are recommended to acknowledge that MCDOT shall determine the final width and dedications needed for the portion of right-of-way adjacent to the subject property. City of Phoenix Street Transportation staff noted that in discussions with MCDOT staff, MCDOT does not have immediate concerns regarding the location of proposed retention areas shown on the conceptual site plan in regard to the drainage project.

8. Original Stipulation 19 states that approval shall be conditioned upon the development commencing within 48 months of the City Council approval. For properties with similar stipulations, the Planning and Development Department has required that a Planning Hearing Officer (PHO) action be pursued to modify or delete these conditions at the time that development is proposed, if the proposed development has exceeded the timeframe identified in the stipulation. The applicant is pursuing this process through their request for deletion of the stipulation. The modification or deletion of this stipulation through a PHO action is unrelated to the zoning reversion process which is a separate public hearing process that is described in Section 506 of the Zoning Ordinance.

   The applicant's request for deletion of original Stipulation 19 is recommended for approval. The current proposal is consistent with the City Council's original

intent to see the subject property redevelop with a single-family residential land use in the R1-8 zoning district. Additionally, the request is consistent with City Council approved General Plan Amendment GPA-LV-1-08-7, which established a Residential 3.5 to 5 dwelling units per gross acre land use designation on the approximately 19.35 acres that comprises the R1-8 zoned portion of the property. Both the proposed conceptual site plan, as modified by this recommendation, and the existing R1-8 zoning designation are consistent with this land use designation.

9. Original Stipulation #27, requiring terraced berms planted with deciduous trees, may result in an environment that contrasts with the natural landscape of the existing hillside in the surrounding area. The stipulated terraced berm configuration is not consistent with the irregular natural landscape of the existing hillside in the surrounding area and there are no deciduous trees on hillside locations in the immediate vicinity. Proposals for fill are commonly intended to continue and promote a natural slope line, rather than creating terracing and other unnatural finishes.

   There are a variety of alternatives to the stipulated requirement for terraced berms that may be considered for the site that would result in a more natural aesthetic to the restored hillside. These include chemical treatments and coloration to remove or camouflage scarring, hydroseeding of the slope to provide a mixture of natural grasses and plants which may also stabilize the slope, and roughening the cut or restored slope to integrate pockets for additional native landscaping.

   Modified stipulation language is recommended to allow the applicant to work with City staff on an alternative approach to restoring the quarry cut slope base to promote a more natural landscape along the hillside.

10. The provision of detached sidewalks is consistent with numerous City policy plans. 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. Additionally, the City Council adopted Guiding Principles for Complete Streets seeks to make Phoenix more walkable by promoting a safe and inviting pedestrian environment that encourages walkability and thermal comfort. These principles are also expressed and expanded upon throughout the 2015 General Plan.

    Therefore, the applicant's request to delete this requirement and instead stipulate a 5-foot sidewalk width is recommended for denial. However, the street layout on the proposed conceptual site plan may require the utilization of both private drives (between units) and private accessways (Tract "A"). There are different technical requirements and cross sections for these street types and it may be difficult to integrate detached sidewalks along both sides of private drives.

    A modification of the applicant's request is recommended to require that detached sidewalks shall be provided, as originally stipulated, along all streets that are developed as public streets or private accessways.

11. The Street Transportation Department noted that both original Stipulation 31 and the applicant's proposed modified language may create conflicts if the development is to include both attached and detached sidewalks. The City of Phoenix standard detail for detached sidewalks along private accessways requires vertical curbs. Attached sidewalks may be permitted to provide rolled curbs. Deletion of the stipulation will allow the appropriate detail to be utilized based on the final configuration of sidewalks at appropriate locations throughout the development.

12. Original Stipulation 39 required that homes along 35th Avenue would be limited to one-story. The stipulation did not specify a maximum building height. Additionally, it is unclear whether the stipulation was intended to apply to the individual units located closest to 35th Avenue or the entire clusters. The original stipulation may permit a variety of building heights and locations for height-restricted lots.

    However, the intent of the stipulation was to mitigate the impacts of building height for units closest to 35th Avenue and would have impacted homes at approximately 235 feet (the stipulated average setback in original Stipulation 7). This remains a valid concern and consistent with the design of other recent projects in the Village. Therefore, the applicant's request for deletion of this stipulation is recommended for denial. An alternative stipulation is proposed that limits maximum building height to 20 feet for the 12 lots that are located within approximately 235 feet of 35th Avenue. This recommendation is intended to clarify the limitation on building height and identify the specific lots impacted.

Stipulations:

General

~~1. That development shall be in general conformance with the site plan date stamped October 8, 2007, and elevations date stamped February 20, 2007, as modified by the following stipulations, and as approved by the Development Services Department.~~

1. THE R1-8 DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED ~~**NOVEMBER 21, 2019**~~ **MAY 26, 2020**, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT, AND WITH SPECIFIC REGARD TO THE FOLLOWING:

    A. THE DEVELOPER SHALL PROVIDE A PRIMARY ROADWAY FROM 35TH AVENUE EXTENDED TO THE WESTERN PROPERTY BOUNDARY, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

    B. THE PRIMARY ROADWAY CONNECTING 35TH AVENUE TO THE WESTERN EDGE OF THE PROPERTY LINE SHALL TERMINATE AS A STUB STREET TO THE ADJACENT UNDEVELOPED LAND TO

THE WEST TO PROVIDE FOR A FUTURE VEHICULAR CONNECTION.

2. CONCEPTUAL ELEVATIONS FOR THE R1-8 DEVELOPMENT SHALL BE REVIEWED AND APPROVED BY THE PLANNING HEARING OFFICER THROUGH THE PUBLIC HEARING PROCESS FOR STIPULATION MODIFICATION PRIOR TO PRELIMINARY SITE PLAN APPROVAL. THIS IS A LEGISLATIVE REVIEW FOR CONCEPTUAL PURPOSES ONLY. SPECIFIC DEVELOPMENT STANDARDS AND REQUIREMENTS MAY BE DETERMINED BY THE PLANNING HEARING OFFICER AND THE PLANNING AND DEVELOPMENT DEPARTMENT.

3. THE R1-18 DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED OCTOBER 8, 2007, AND ELEVATIONS DATE STAMPED FEBRUARY 20, 2007, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

~~2.~~ 4. ~~That d~~Development of the R1-18 portion of the site shall not exceed 22 lots.

~~3.~~ 5. ~~That d~~Development of the R1-8 portion of the site shall not exceed a density of 99 lots.

6. THE R1-8 DEVELOPMENT SHALL PROVIDE A MINIMUM OF 26% OPEN SPACE, OF WHICH A MINIMUM OF ~~12~~ 8% SHALL BE USABLE OPEN SPACE, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

Site Design

~~4.~~ 7. ~~That u~~Unobstructed pedestrian access (for the purpose of private pedestrian connectivity internal to the site) between the R1-18 and R1-8 portions of the site shall be provided, as approved by the PLANNING AND Development ~~Services~~ Department.

~~5.~~ 8. ~~That n~~No solid wall in excess of three feet in height as measured from the finished grade, shall be located on the site (either in private lots or common tracts) except that solid walls greater than three feet in height shall be allowed for the following purposes, as approved by the PLANNING AND Development ~~Services~~ Department.

a. Walls utilized to screen utilities, trash enclosures, or other facilities generally considered to be visually obtrusive.

b. Retaining wall.

~~6.~~ 9. ~~That n~~No more than 60,000 square feet of natural turf area shall be located within the common areas of the R1-8 portion of the site (this requirement does not apply to synthetic turf); if provided, common area natural turf should be centrally located and grouped so as to create one contiguous natural turf

recreation area, as approved by the PLANNING AND Development ~~Services~~ Department.

~~7.~~ ~~That a 235-foot (average), 200-foot (minimum)~~ THE DEVELOPMENT SHALL
10. PROVIDE A MINIMUM 100 FOOT landscaped setback ALONG THE EAST PROPERTY LINE ~~adjacent to 35th Avenue shall be provided~~, as approved by the PLANNING AND Development ~~Services~~ Department.

~~8.~~ ~~That a~~ A 50-foot (minimum) landscaped setback adjacent to Carver Road (final
11. alignment) shall be provided, as approved by the PLANNING AND Development ~~Services~~ Department.

~~9.~~ ~~That t~~Those portions of spider and jeep trails which are not part of the
12. approved grading envelopes, access drives, or other necessary site disturbance related to the proposed development of the R1-8 portion of the site shall be re-vegetated in a manner consistent with adjacent undisturbed vegetation, as approved by the PLANNING AND Development ~~Services~~ Department.

Disclosures

~~10.~~ ~~That p~~Prior to final site plan approval, the property owner shall record
13. documents that disclose to tenants of the site or purchasers of property within the site, the existence, proximity, and operational characteristics of active agricultural uses and non-domesticated animal keeping. 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.

14. THAT PRIOR TO FINAL SITE PLAN APPROVAL, THE PROPERTY OWNER SHALL RECORD DOCUMENTS THAT DISCLOSE TO TENANTS OF THE SITE OR PURCHASERS OF PROPERTY WITHIN THE SITE, THE EXISTENCE, PROXIMITY, AND OPERATIONAL CHARACTERISTICS OF ACTIVE AVIATION USES IN THE HANGAR HACIENDAS UNITS ONE, TWO, AND THREE SUBDIVISIONS LOCATED APPROXIMATELY 2,300 FEET TO THE EAST OF THE SUBJECT PROPERTY IN MARICOPA COUNTY. 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.

Parks and Recreation

~~11.~~ ~~That t~~The developer shall dedicate a multi-use trail easement and construct a
15. multi-use trail, per adopted standards, along the north side of Carver Road, as approved by the Parks and Recreation Department.

Archaeology

~~12.~~ ~~That t~~The applicant shall complete an archaeological survey report of the
16. development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, or grading.

17. 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.

18. 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.

19. 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.

Street Transportation

~~13.~~ 20. ~~That r~~Right-of-way totaling 55 feet shall be dedicated for the west half of 35th Avenue, as approved by the Street Transportation Department. 35th Avenue shall be constructed using rural streets standards similar to Dobbins Road, as approved by the Street Transportation Department.

~~14.~~ 21. ~~That r~~Right-of-way totaling 55 feet shall be dedicated for the west half of Carver Road, as approved by the Street Transportation Department. Carver Road shall be constructed using rural streets standards similar to Dobbins Road, as approved by the Street Transportation Department.

22. THE DEVELOPER SHALL DEDICATE RIGHT-OF-WAY FOR 35TH AVENUE AS DETERMINED BY THE MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION (MCDOT) AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

23. THE DEVELOPER SHALL DEDICATE RIGHT-OF-WAY FOR CARVER ROAD AS DETERMINED BY THE MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION (MCDOT) AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

~~15.~~ 24. ~~That a~~A traffic impact study shall be submitted to, and approved by, the Street Transportation Department prior to PLANNING AND Development ~~Services~~ Department preliminary site plan approval. That all right-of-way dedications and associated infrastructure improvements as recommended by the traffic impact study shall be installed by the developer, as approved by the PLANNING AND Development ~~Services~~ Department.

~~16.~~ ~~That t~~The developer shall construct all streets within and adjacent to the
25. development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals, as modified by these stipulations, and as approved by the Street Transportation Department. All improvements shall comply with all AmericanS with Disabilities Act accessibility standards.

~~17.~~ ~~That t~~The applicant shall complete and submit the Developer Project
26. Information Form for the Maricopa Association of Governments Transportation Improvement Program. This form is a requirement of the Environmental Protection Agency to meet clean air quality requirements.

~~18.~~ ~~That p~~Prior to preliminary site plan approval, the landowner shall execute a
27. Proposition 207 waiver of claims utilizing the provided template. The waiver shall be recorded with the Maricopa County Recorder's Office and a copy shall be provided to the PLANNING AND Development ~~Services~~ Department for the case files.

~~19. That approval shall be conditional upon the development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of the building walls on site.~~

Neighborhood

~~20.~~ ~~That b~~Building pad cuts shall be terraced if more than 6 feet in height and
28. treated with a stain, gunnite, or equivalent finish, as approved by the PLANNING AND Development ~~Services~~ Department.

~~21.~~ ~~That a~~All two story homes, within the R1-18 portion of the site, shall be
29. designed in a manner such that the square footage of the second story floor area does not exceed 66 percent of the first story floor area does not exceed 66 percent of the first story floor area, as approved by the PLANNING AND Development ~~Services~~ Department.

~~22.~~ ~~That c~~Concrete channels shall be designed to look natural in the desert setting
30. through color, texture, landscaping, or other means, as approved by the PLANNING AND Development ~~Services~~ Department.

~~23.~~ ~~That t~~The use of riprap and engineered culverts shall be minimized and, where
31. utilized, shall be integrated with the desert setting through color, texture, soil plating, landscaping, or other means, as approved by the PLANNING AND Development ~~Services~~ Department. To the extent possible, culverts shall be undersized to allow minor flows (10 cfs or smaller) to cross roadways in their natural condition.

~~24.~~ ~~That w~~Washes with a one-hundred-year peak flow of 200 cfs or greater shall
32. be preserved and enhanced with native vegetation as described in Appendix A, Approved Plant Species List for Sonoran Preserve Edge Treatment Guidelines, as approved by the PLANNING AND Development ~~Services~~ Department.

~~25.~~ ~~That l~~Lots with 2 or more sides abutting undisturbed open space shall be
33. designed with obtuse angles, rather than right angles or acute angles, as approved by the PLANNING AND Development ~~Services~~ Department.

~~26.~~ ~~That o~~On non-hillside lots within the R1-18 portion of the development, all
34. improvements, including driveways, landscaping, and underground utilities shall be located within a building envelope occupying no more than 50 percent of the lot up to a maximum of 20,000 square feet, whichever is less, as approved by the PLANNING AND Development ~~Services~~ Department.

~~27.~~ ~~That a~~ A minimum of three terraced berms with 2:1 fill slopes shall be installed
35. along the full length of the quarry cut slope base. The terraces shall BE LIMITED TO A MAXIMUM HEIGHT OF ~~be~~ 8 feet ~~tall, minimum,~~ and shall be PLANTED ~~plated~~ with a staggered combination of 2-inch and 4-inch caliper, drought resistant, deciduous trees at 25 feet ON center OR IN EQUIVALENT GROUPINGS ~~to center~~, as approved OR MODIFIED by the PLANNING AND Development ~~Services~~ Department.

THE DEVELOPER MAY ALSO IMPLEMENT ALTERNATIVE SOLUTIONS FOR THE NATURALIZING AND BLENDING OF THE QUARRY CUT SLOPE WITH THE ADJACENT UNDISTURBED HILLSIDE AREA, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

~~28.~~ ~~That s~~Solid block walls, except for retaining walls or privacy fencing on
36. individual lots, shall not be constructed outside of the building envelopes for the R1-18 portion of the site, as approved by the PLANNING AND Development ~~Services~~ Department. Fencing constructed outside of the building envelope shall be combination solid/view fencing. In addition, all fencing above the 15 percent slope line shall be 100 percent view fencing.

~~29.~~ ~~That t~~The entire 60-acre site shall have no perimeter fencing, as approved by
37. the PLANNING AND Development ~~Services~~ Department.

~~30.~~ ~~That p~~Private roadways within the R1-18 portion of the site shall be provided
38. with ribbon curbs and colored asphalt, as approved by the PLANNING AND Development ~~Services~~ Department.

~~31.~~ ~~That private roadways within the R1-8 portion of the site shall be provided with~~
39. ~~a raised, vertical curb, as approved by the Development Services Department.~~

~~32.~~ ~~That a~~All HVAC units shall be ground mounted.
40.

~~33.~~ ~~That a~~All street lighting and wall mounted security fixtures shall be full cut off
41. lighting. Fixture height shall be a maximum of 12 feet. Street lighting fixtures shall be decorative and have a consistent architectural theme, as approved by the PLANNING AND Development ~~Services~~ Department.

~~34.~~ ~~That b~~Bollards shall be used for accent lighting at the primary access, entry
42. monument, driveways, and trail crossings, as approved by the PLANNING

AND Development ~~Services~~ Department. Photovoltaic energy sources for bollard lighting shall be provided.

~~35.~~ ~~That a~~Any request to delete or modify these stipulations SHALL be preceded
43. by A presentation to the Laveen Village Planning Committee (VPC) for review and recommendation, and notification to the following persons two weeks prior to presentation at the VPC:

a. Jon Kimoto, 3216 West Ansell Road, Laveen, 85339

b. Cyd Manning, P.O. Box 41234, Mesa, 85274

c. Judy Brown, P.O. Box 41234, Mesa, 85274

d. Christine Dicken, 10827 South 30th Avenue, Laveen, 85339

e. Richard Birnbaum, 11014 South 35th Avenue, Laveen, 85339

f. Phil Hertel, ~~2300~~ 2845 West Broadway Road, Phoenix, 85041

g. Steven Klein, 6820 South 66th Avenue, Laveen, 85339

~~36.~~ ~~That t~~The following individuals shall be notified of any and all PLANNING AND
44. Development ~~Services~~ Department ~~(DSD)~~ meetings which are open to the public. The applicant shall be responsible for notification to the following via a first-class letter to be mailed at least two weeks prior to the ~~DSD~~ meeting(s):

a. Jon Kimoto, 3216 West Ansell Road, Laveen, 85339

b. Cyd Manning, P.O. Box 41234, Mesa, 85274

c. Judy Brown, P.O. Box 41234, Mesa, 85274

d. Christine Dicken, 10827 South 30th Avenue, Laveen, 85339

e. Richard Birnbaum, 11014 South 35th Avenue, Laveen, 85339

f. Phil Hertel, ~~2300~~ 2845 West Broadway Road, Phoenix, 85041

g. Steven Klein, 6820 South 66th Avenue, Laveen, 85339

~~37.~~ ~~That a~~All sidewalks, within the R1-8 portion of the site, WHICH ARE
45. DEVELOPED ALONG STREETS DEVELOPED AS PUBLIC STREETS OR PRIVATE ACCESSWAYS shall be detached with a minimum five-foot wide landscaped strip located between the sidewalk and back of curb and shall include minimum two-inch caliper shade trees planted ~~a minimum rate of~~ 20 feet on center or IN equivalent groupings along both sides of the sidewalk, as approved OR MODIFIED by the PLANNING AND Development ~~Services~~ Department. The landscape strip shall be installed by the developer and maintained by the homeowners' association.

~~38.~~ ~~That a~~A mix of two and three-inch caliper trees shall be provided within all
46. required common open space tracts. With the exception of the open space area adjacent to 35th Avenue, the species of trees provided shall shade 50 percent of the area of the open space at tree maturity, as approved by the PLANNING AND Development ~~Services~~ Department.

~~39. That only one-story homes shall be located along 35th Avenue.~~

47. LOTS **~~52-61 AND 82-83~~ 1-7**, LOCATED ALONG 35TH AVENUE AND AS DEPICTED ON THE SITE PLAN DATE STAMPED **~~NOVEMBER 21, 2019~~ MAY 26, 2020**, ARE LIMITED TO A MAXIMUM BUILDING HEIGHT OF 20 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

~~40.~~ ~~That a~~A detailed site plan, landscaping plan, elevations, perimeter fence or wall
48. plan, lighting plan, and entry monument signage shall be reviewed by the Laveen Village Planning Committee prior to preliminary site plan approval by the PLANNING AND Development ~~Services~~ Department.

This publication can be made available in alternate format upon request. Please contact Tamra Ingersoll at (602) 534-6648, 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	**PHO-1-19--Z-165-06-7(8)** Northwest corner of 35th Avenue and Carver Road	***(SIGNATURE ON ORIGINAL IN FILE)***			
		opposition	**x**	**applicant**	
APPEALED FROM:	**PC 6/4/2020**	**Cyd Manning** **480-747-0769** **sweetbeat@q.com**			
	PC DATE	*NAME / PHONE / EMAIL*			
TO PC/CC HEARING	**CC 6/24/2020**	**3220 West Ceton Drive** **Laveen, AZ 85339**			
	CC DATE	*STREET ADDRESS/CITY/STATE/ZIP*			
REASON FOR REQUEST: Sixty-three lots on 20 acres at 3.2 dwelling units per acre is incompatible land use with adjacent 40 acres and other adjacent surrounding parcels zoned R1-18, RE-35 and S-1. The R1-8 is speculative spot zoning. Disagree with the deletion of Stipulation No. 19. There is no connectivity to the 40-acre portion, the circulation is a 90-degree grid and other stipulations recommended by the Planning Hearing Officer were not included in the applicant's revised plan.					
RECEIVED BY:	Jazmine Braswell	**RECEIVED ON:**		6/9/2020	

Alan Stephenson
Joshua Bednarek
Tricia Gomes
Racelle Escolar
Stephanie Vasquez
Leah Swanton
Vikki Cipolla-Murillo
Danielle Jordan
Applicant

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

CITY OF PHOENIX

JUN 09 2020

Planning & Development Department

The **PLANNING COMMISSION** agenda for **June 4, 2020** 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. **June 11, 2020**.

   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., **June 11, 2020**.

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. **June 11, 2020**.

   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. **June 18, 2020**.

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

Z-165-06 (PHO-1-19)
APPLICATION NO.

35th Ave. + Carver Rd.
LOCATION OF APPLICATION SITE

June 4, 2020
DATE APPEALED FROM

☒ OPPOSITION
☐ APPLICANT

Jazmine Braswell
PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

Cyd Manning
PRINTED NAME OF PERSON APPEALING

Cyd Manning
SIGNATURE

3220 W. Ceton Dr.
STREET ADDRESS

June 9, 2020
DATE OF SIGNATURE

Laveen, AZ 85339
CITY, STATE & ZIP CODE

480-747-0769
TELEPHONE NO.

sweetbeatcq.com
EMAIL ADDRESS

REASON FOR REQUEST 63 lots on 20 ac. at 3.2 du/a is incompatible land use w/adjacent 40 ac. + other adjacent + surrounding parcels zoned R1-18, RE-35 and S-1. The R1-8 is speculative spot zoning. Disagree with the deletion of Stip. 19. There is no connectivity to the 40-acre portion, the circulation is a 90 degree grid and other stipulations recommended by PHO were not included in applicant's revised plan.

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

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	**PHO-1-19--Z-165-06-7(8)** Northwest corner of 35th Avenue and Carver Road	***(SIGNATURE ON ORIGINAL IN FILE)***			
		opposition	**x**	**applicant**	
APPEALED FROM:	**PC 6/4/2020**	**Lisa Vializ** **602-741-5722** **LVIALIZ@COX.NET**			
	PC DATE	*NAME / PHONE / EMAIL*			
TO PC/CC HEARING	**CC 6/24/2020**	**8921 S. 53rd Drive** **Laveen, AZ 85339**			
	CC DATE	*STREET ADDRESS/CITY/STATE/ZIP*			
REASON FOR REQUEST: 1) R1-8 zoning is speculative spot zoning. 2) Sixty-three lots on 20 acres at 3.2 dwelling units per acre is incompatible land use with the adjacent 40 acres. Surrounding zoning districts are: S-1, RE-35, and R1-18. 3) We disagree with deletion of Stipulation No. 19, personally placed in this case by then Mayor Phil Gordon to protect the community. 4) There is no connectivity to 40-acre portion. Circulation is 90-degree grid and other stipulations recommended by the Planning Hearing Officer were not included in applicant's revised plan.					
RECEIVED BY:	Jazmine Braswell	**RECEIVED ON:**		6/9/2020	

Alan Stephenson
Joshua Bednarek
Tricia Gomes
Racelle Escolar
Stephanie Vasquez
Leah Swanton
Vikki Cipolla-Murillo
Danielle Jordan
Applicant

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

CITY OF PHOENIX

JUN 09 2020

Planning & Development Department

The **PLANNING COMMISSION** agenda for **June 4, 2020** 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. **June 11, 2020**.

   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., **June 11, 2020**.

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. **June 11, 2020**.

   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. **June 18, 2020**.

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

PHO-1-19-Z-165-06-7(8)
APPLICATION NO.

35th AVE + CARVER RD.
LOCATION OF APPLICATION SITE

6/4/20
DATE APPEALED FROM

☒ OPPOSITION
☐ APPLICANT

Jazmine Braswell
PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

LISA VIALIZ
PRINTED NAME OF PERSON APPEALING

Lisa Vializ
SIGNATURE

8921 S. 53RD DR.
STREET ADDRESS

6/9/20
DATE OF SIGNATURE

LAVEEN, AZ 85339
CITY, STATE & ZIP CODE

602-741-5722
TELEPHONE NO.

LVIALIZ@COX.NET
EMAIL ADDRESS

REASON FOR REQUEST ① R1-8 ZONING IS SPECULATIVE SPOT ZONING.
② 63 LOTS ON 20A AT 3.2 DU/A IS INCOMPATIBLE LAND USE W/ THE ADJACENT 40A. SURROUNDING ZONING DISTRICTS ARE: S-1, RE-35, & R1-18.
③ WE DISAGREE WITH DELETION OF STIPULATION 19, PERSONALLY PLACED IN THIS CASE BY THEN MAYOR PHIL. GORDON TO PROTECT THE COMMUNITY.
④ THERE IS NO CONNECTIVITY TO 40A PORTION. CIRCULATION IS 90° GRID AND OTHER STIPS RECOMMENDED BY PHO WERE NOT INCLUDED IN APPLICANTS REVISED PLAN.

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

Attachment G

Adam Stranieri

From: Sofia Mastikhina
Sent: Wednesday, March 4, 2020 8:14 AM
To: Julianna Pierre; Adam Stranieri
Subject: FW: Case Z-165-06 (PHO-1-19

FYI

Sofia Mastikhina
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: Ernst Bauer <ERNST.BAUER@asu.edu>
Sent: Tuesday, March 3, 2020 6:20 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>
Subject: Case Z-165-06 (PHO-1-19

Laveen Village Planning Committee, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for both LVPC and PHO review next week. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: "*The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this zoning 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*", which includes Stipulation 19.

Stipulation 19 states "*That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.*". City Council approval was on October 10, 2007 and with the 48-month timing, the zoning was set to revert to S-1 as of 2011. To date there has been no development on the property and no action taken by the City to revert the zoning as required.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Dr. Ernst Bauer
Professor Emeritus
11581 S 28th Ave
Laveen
AZ 85339
e-mail: ernst.bauer@asu.edu
Webpage: http://ernstbauer.physics.asu.edu [ernstbauer.physics.asu.edu]

Racelle Escolar

From: Sofia Mastikhina
Sent: Monday, March 23, 2020 7:52 AM
To: Danielle M Jordan
Cc: Racelle Escolar
Subject: FW: Deny Case Z-165-06 (PHO 1-19)

Sofia Mastikhina
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: D M <darcy3535@gmail.com>
Sent: Saturday, March 21, 2020 4:43 PM
To: Sofia Mastikhina <sofia.mastikhina@phoenix.gov>
Subject: Deny Case Z-165-06 (PHO 1-19)

Planning Commission Members, Planning Management and Staff,

I request you DENY Case Z-165-06 (PHO-1-19) when it comes before the Planning Commission on April 2. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing! Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Respectfully,

Name Darcy Meyer

Address 3535 W Bohl St, Laveen Village, AZ 85339

Racelle Escolar

From: Sofia Mastikhina
Sent: Monday, March 23, 2020 7:52 AM
To: Danielle M Jordan
Cc: Racelle Escolar
Subject: FW: Case Z-165-06 (PHO-1-19)

Sofia Mastikhina
Planner II - Village Planner
City of Phoenix
Long Range Planning
Office: 602-256-5648
200 West Washington Street
Phoenix, AZ 85003

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From: Sarah VanSchyndel <sarah.vanschyndel@gmail.com>
Sent: Sunday, March 22, 2020 5:58 AM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Sofia Mastikhina <sofia.mastikhina@phoenix.gov>
Subject: Case Z-165-06 (PHO-1-19)

Planning Commission Members, Planning Management and Staff,

Councilmen, Councilwomen and Madam Mayor;

Case Z-165-06 (PHO-1-19) is scheduled for Planning Commission review April 2. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: “The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site’s specific physical conditions and the use district applied for by the applicant, this zoning 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”, which includes Stipulation 19.

Stipulation 19 states “That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.”. City Council approval was on October 10, 2007 and with the 48-month timing, the zoning was set to revert to S-1 as of 2011. To date there has been no development on the property and no action taken by the City to revert the zoning as required.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a

violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Sarah Johns

3913 W. Carver Rd.

Laveen, AZ 85339

--
Sarah Johns

Racelle Escolar

From: Sofia Mastikhina
Sent: Monday, March 23, 2020 11:19 AM
To: Danielle M Jordan; Racelle Escolar
Subject: FW: Case Z-165-06 (PHO-1-19) - Planning Commision Hearing - April 2, 2020

Sofia Mastikhina
Planner II - Village Planner
City of Phoenix
Long Range Planning
Office: 602-256-5648
200 West Washington Street
Phoenix, AZ 85003

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From: Scott Johnson <sjohnson@scottjce.com>
Sent: Monday, March 23, 2020 11:15 AM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Sofia Mastikhina <sofia.mastikhina@phoenix.gov>
Cc: 'Cyd Manning' <SweetBeat@q.com>
Subject: Case Z-165-06 (PHO-1-19) - Planning Commision Hearing - April 2, 2020

Planning Commission Members, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for Planning Commission review April 2. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: "*The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this zoning 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*", which includes Stipulation 19.

Stipulation 19 states "*That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.*". City Council approval was on October 10, 2007 and with the 48-month timing, the zoning was set to revert to S-1 as of 2011. To date there has been no development on the property and no action taken by the City to revert the zoning as required.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Thank you for your consideration, Scott Johnson

Scott Johnson, President
Hangar Haciendas HOA
3143 W. Avion Way
Laveen, AZ 85339
602-320-2382
sjohnson@scottjce.com



Virus-free. www.avg.com [avg.com]
[avg.com]

Racelle Escolar

From: Sofia Mastikhina
Sent: Monday, March 23, 2020 12:19 PM
To: Racelle Escolar; Danielle M Jordan
Subject: FW: Rezoning

Sofia Mastikhina
Planner II - Village Planner
City of Phoenix
Long Range Planning
Office: 602-256-5648
200 West Washington Street
Phoenix, AZ 85003

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From: David Vaughan <azernot2@aol.com>
Sent: Monday, March 23, 2020 12:15 PM
To: Sofia Mastikhina <sofia.mastikhina@phoenix.gov>
Subject: Rezoning

Planning Commission Members, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for Planning Commission review April 2. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: "*The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this zoning 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*", which includes Stipulation 19.

Stipulation 19 states "*That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.*". City Council approval was on October 10, 2007 and with the 48-month timing, the zoning was set to revert to S-1 as of 2011. To date there has been no development on the property and no action taken by the City to revert the zoning as required.

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Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Racelle Escolar

From: Sofia Mastikhina
Sent: Tuesday, March 24, 2020 12:25 PM
To: Danielle M Jordan; Racelle Escolar
Subject: FW: Quarry Case at 35th Ave. & Carver/Ceton - Z-165-06-7

Sofia Mastikhina
Planner II - Village Planner
City of Phoenix
Long Range Planning
Office: 602-256-5648
200 West Washington Street
Phoenix, AZ 85003

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From: Steven Dougherty <steven@stevendougherty.com>
Sent: Tuesday, March 24, 2020 12:24 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Sofia Mastikhina <sofia.mastikhina@phoenix.gov>
Cc: Steven Dougherty <steven@stevendougherty.com>
Subject: Quarry Case at 35th Ave. & Carver/Ceton - Z-165-06-7

Planning Commission Members, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for Planning Commission review April 2. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: "*The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this zoning 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*", which includes Stipulation 19.

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Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Sincerely,
Steven Dougherty
Steven@StevenDougherty.com
11222 S 39th Ln
Laveen AZ 85339
480-430-6130 Cell

CONFIDENTIALITY NOTICE - This e-mail transmission and any documents, files or previous e-mail messages attached to it may contain information that is confidential or legally privileged. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that you must not read or play this transmission and that any disclosure, copying, printing, distribution or use of any of the information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify the sender by telephone or return e-mail and delete the original transmission and its attachments without reading, forwarding, saving or re-distributing in any manner.

Racelle Escolar

Subject: FW: Case Z-165-06 (PHO-1-19)

From: Jo Ann Valenta <jovalenta@gmail.com>
Sent: Tuesday, March 24, 2020 3:21 PM
To: PDD Zoning <zoning@phoenix.gov>
Subject: Case Z-165-06 (PHO-1-19)

Planning Commission Members, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before the Planning Commission on April 2. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Jo Ann Valenta

The Sanctuary at South Mountain
3224 W Carver Road
Laveen, AZ 85339

Racelle Escolar

From: Sofia Mastikhina
Sent: Wednesday, March 25, 2020 9:40 AM
To: Racelle Escolar; Danielle M Jordan
Subject: FW: Case Z-165-06 (PHO-1-19)

Sofia Mastikhina
Planner II - Village Planner
City of Phoenix
Long Range Planning
Office: 602-256-5648
200 West Washington Street
Phoenix, AZ 85003

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From: sonya fazio <sonyafazio777@gmail.com>
Sent: Wednesday, March 25, 2020 9:38 AM
To: Sofia Mastikhina <sofia.mastikhina@phoenix.gov>
Subject: Case Z-165-06 (PHO-1-19)

Sofia Mastikhina

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Please do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Thank You for your time!

Sonya Fazio
2414 W Corral Rd
Phoenix AZ 85041

Racelle Escolar

Subject: FW:

From: PDD Zoning
Sent: Thursday, March 26, 2020 9:26 AM
To: Sofia Mastikhina <sofia.mastikhina@phoenix.gov>; Racelle Escolar <racelle.escolar@phoenix.gov>; Adam Stranieri <Adam.Stranieri@phoenix.gov>
Subject: FW:

From the zoning mailbox.

From: Brenda Miller <brendalynmiller@gmail.com>
Sent: Thursday, March 26, 2020 9:05 AM
To: PDD Zoning <zoning@phoenix.gov>
Subject:

Laveen Village Planning Committee, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for both LVPC and PHO review next week. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: "*The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this zoning 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*", which includes Stipulation 19.

Stipulation 19 states "*That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.*". City Council approval was on October 10, 2007 and with the 48-month timing, the zoning was set to revert to S-1 as of 2011. To date there has been no development on the property and no action taken by the City to revert the zoning as required.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Brenda Miller
219 W. Mountain Sage Drive
Phoenix, AZ 85045

From: JK Bronson-Groen <bronson-groen@hotmail.com>
Sent: Thursday, March 26, 2020 7:44 AM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: Case Z-165-06-07

Good morning Laveen Village Planning Committee, Planning Management and staff,

I was surprised to see this posted on 35th ave and Carver rd. Due to these unprecedented times I do not believe holding a public hearing on April 2nd is appropriate. In lieu of attending the meeting I am emailing my thoughts and opinions regarding the changes and deletions being requested.

The owner is again requesting deletion of section 19. I am requesting you deny Case Z-165-06-07 when it comes before you on April 2nd. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter. The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area. Do the required and right thing. Deny Z-165-06-07 as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Thank you for your time and assistance in this very important matter.

Kyle Bronson
503-890-7885
4034 W Carver Rd
Laveen, AZ 85339


CITY OF PHOENIX
HEARING
City Of Phoenix
PLANNING COMMISSION HEARING
HEARING DATE / TIME:
April 2, 2020
6:00 PM
LOCATION:
City Council Chambers
200 West Jefferson Street
Phoenix, AZ 85003
CASE # Z-165-06-7
Northwest corner of
35th Avenue and Carver Road
Existing Zoning: R1-8, R1-18
Acreage: 59.48
REQUEST:
1) Modification of Stipulation 1 regarding general conformance to the site plan date stamped October 8, 2007 and elevations date stamped February 20, 2007.
2) Modification of Stipulation 7 regarding the landscape setback adjacent to 35th Avenue.
3) Deletion of Stipulation 19 regarding conditional development approval.
4) Modification of Stipulation 27 regarding height of terraced berms along the quarry cut slope base.
5) Modification of Stipulation 31 regarding raised, vertical curbs within the R1-18 portion of the site.
6) Modification of Stipulation 37 regarding detached sidewalks and landscape strips within the R1-8 portion of the site.
7) Deletion of Stipulation 39 regarding one-story homes along 35th Avenue.
8) Technical corrections to Stipulations 4, 5, 6, 8, 9, 15, 18, 20, 21, 22, 23, 24, 25, 26, 28, 29, 30, 33, 34, 36, 38, 40.
Unlawful removal or destruction of this sign is punishable by law
CONTACT: 602-262-7131
or www.phoenix.g
Zoning Services Counter

3

Sent from Kyle's iPhone

Begin forwarded message:

From: JK Bronson-Groen <bronson-groen@hotmail.com>
Date: January 13, 2020 at 9:56:09 AM MST
To: "alan.stephenson@phoenix.gov" <alan.stephenson@phoenix.gov>, "joshua.bednarek@phoenix.gov" <joshua.bednarek@phoenix.gov>, Samantha Keating <samantha.keating@phoenix.gov>, "LaveenVPC@phoenix.gov" <LaveenVPC@phoenix.gov>
Cc: "mayor.gallego@phoenix.gov" <mayor.gallego@phoenix.gov>, "council.district.7@phoenix.gov" <council.district.7@phoenix.gov>, "council.district.8@phoenix.gov" <council.district.8@phoenix.gov>, "council.district.3@phoenix.gov" <council.district.3@phoenix.gov>, "council.district.4@phoenix.gov" <council.district.4@phoenix.gov>
Subject: Case Z-165-06 (PHO-1-19)

Good Morning Laveen Village Planning Committee, Planning Management and Staff,

I am a resident on Carver Rd, our property backs the beautiful Carver Mountain. I was very concerned when I saw the rezoning notice posted on the large gravel pit at 35th ave and Carver. This area is beautiful farm country land with minimum 1 acre lots.

I am requesting you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter. The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area. Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Thank you for your time and attention to this very important matter,

Kyle Bronson
4034 W Carver Rd.
Laveen, AZ. 85339
C – 503-890-7885

Sent from Mail [go.microsoft.com] for Windows 10

Racelle Escolar

Subject: FW: Case Z-165-06 (PHO-1-19)

From: Kieran Prendergast <kieranfprendergast@gmail.com>
Sent: Thursday, March 26, 2020 2:40 PM
To: PDD Zoning <zoning@phoenix.gov>
Subject: Case Z-165-06 (PHO-1-19)

Laveen Village Planning Committee, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for both LVPC and PHO review next week. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

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Stipulation 19 states "*That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.*". City Council approval was on October 10, 2007 and with the 48-month timing, the zoning was set to revert to S-1 as of 2011. To date there has been no development on the property and no action taken by the City to revert the zoning as required.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Sincerely,
Kieran Prendergast
313 W Osborn Rd Phoenix, AZ 85013

Racelle Escolar

From: Sofia Mastikhina
Sent: Monday, March 30, 2020 8:20 AM
To: Racelle Escolar; Danielle M Jordan
Subject: Fwd: Please help

Get Outlook for iOS

From: Leah <lmariern@gmail.com>
Sent: Friday, March 27, 2020 9:02:38 AM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Sofia Mastikhina <sofia.mastikhina@phoenix.gov>
Subject: Please help

Laveen Village Planning Committee, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high densitydevelopment that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Leah Wilson

15601 S 1st Ave
Phoenix, AZ

Sent from my iPad

Racelle Escolar

Subject: FW: Quarry Case at 35th Ave. & Carver/Ceton - Z-165-06-7

From: Heather Lott <hlott1@gmail.com>
Sent: Monday, March 30, 2020 4:27 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Sofia Mastikhina <sofia.mastikhina@phoenix.gov>
Subject: Quarry Case at 35th Ave. & Carver/Ceton - Z-165-06-7

Planning Commission Members, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for Planning Commission review April 2. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: "*The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this zoning 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*", which includes Stipulation 19.

Stipulation 19 states "*That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.*". City Council approval was on October 10, 2007 and with the 48-month timing, the zoning was set to revert to S-1 as of 2011. To date there has been no development on the property and no action taken by the City to revert the zoning as required.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Sincerely,

Heather Lott
11610 S. 43rd Ave
Laveen, AZ 85339

Racelle Escolar

Subject: FW: Case Z-165-06 (PHO-1-19)
Attachments: DSC_8431.jpg

From: Sofia Mastikhina
Sent: Tuesday, March 31, 2020 7:23 AM
To: Racelle Escolar <racelle.escolar@phoenix.gov>; Danielle M Jordan <danielle.jordan@phoenix.gov>
Subject: Fwd: Case Z-165-06 (PHO-1-19)

Get Outlook for iOS

From: Bryan Peltzer <bpeltzer@pgg-eng.com>
Sent: Monday, March 30, 2020 5:58:40 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Sofia Mastikhina <sofia.mastikhina@phoenix.gov>
Subject: Case Z-165-06 (PHO-1-19)

Planning Commission Members, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before the Planning Commission on April 2 for several reasons. They are as follows:

- The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter. According to City Zoning Code 506 B.1, the City of Phoenix has a duty and obligation to initiate a hearing on the reversion of the zoning.
- The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area. The area along Carver Road between 27th and 51st Avenues is very rural and comprised almost entirely of 1-acre lots. As such there is a significant amount of room between homes and the area is relatively dark at night. An attached photograph depicts the area just after twilight. Approval of zoning that would allow much denser development would create an eyesore in the community and ruin the ambiance that has developed natural should not be encouraged.
- Due to the outbreak of Covid-19, attendance at city meetings, hearings, etc. has been severely curtailed and possibly eliminated entirely with Gov. Ducey's executive orders today (March 30, 2020). These restrictions undermine the ability of concerned residents to voice (and display with their attendance numbers) their displeasure with the proposed zoning changes. Going ahead with such hearings should give reasonable people concern regarding the legitimacy of such actions.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Bryan Peltzer
3725 W. Fox Road
Laveen, Arizona 85339



Racelle Escolar

Subject: FW: 35th Avenue & Carver Proposed Building Project

From: Kingston, Suzanne <suzanne.kingston@supportivecaremedgroup.com>
Sent: Tuesday, March 31, 2020 8:52:26 AM
To: Joshua Bednarek <joshua.bednarek@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Sofia Mastikhina <sofia.mastikhina@phoenix.gov>
Subject: 35th Avenue & Carver Proposed Building Project

March 31, 2020

Planning Commission Members, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for Planning Commission review April 2. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: "*The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this zoning 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*", which includes Stipulation 19.

Stipulation 19 states "*That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.*". City Council approval was on October 10, 2007 and with the 48-month timing, the zoning was set to revert to S-1 as of 2011. To date there has been no development on the property and no action taken by the City to revert the zoning as required.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Sincerely,

Suzanne Kingston
11820 S. 38th Avenue
Laveen, AZ 85339

SECURITY/CONFIDENTIALITY WARNING: This message and any attachments are intended solely for the individual or entity to which they are addressed. This communication may contain information that is privileged, confidential, or exempt from disclosure under applicable law (e.g., personal health information, research data, financial information). If you are not the intended recipient, or the employee or person responsible for delivering the message to the intended recipient, any dissemination, distribution or copying of the communication is strictly prohibited. ***If you received the communication in error, please notify the sender immediately by replying to this message AND deleting the message and any accompanying files from your system****. If, due to the security risks, you do not wish to receive further communications via e-mail, please reply to this message and inform the sender that you do not wish to receive further e-mail from the sender.*

Racelle Escolar

From: Sofia Mastikhina
Sent: Tuesday, March 31, 2020 1:37 PM
To: Racelle Escolar; Danielle M Jordan
Subject: Fwd: Case Z-165-06 (PHO-1-19), April 2nd, 2020, 6:00 pm, Deny Re-Zoning Request

Get Outlook for iOS

From: Chris Luley <clluley@gmail.com>
Sent: Tuesday, March 31, 2020 9:32:31 AM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: Case Z-165-06 (PHO-1-19), April 2nd, 2020, 6:00 pm, Deny Re-Zoning Request

Good Morning Laveen Village Planning Committee, Planning Management & Staff,

I am a resident on Carver Road in Laveen and our property is adjacent to Carver Mountain.
My wife and I have been made aware of the Re-Zoning request that you have received and are considering. Please let it be known that we are opposed to this rezoning request.

> I am requesting you deny Case Z-165-06 (PHO-1-19) when it comes before you on April 2nd, The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter. The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area. Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.
>
> [google.com]
>
> Thank you for your time and attention to this very important matter,
>
> Christopher & Amy Luley
>
> 4030 West Carver Road
>
> Laveen, Arizona (85339)

Racelle Escolar

Subject: FW: CASE Z-165-06

From: Janet Morris <janetmorriscpa@gmail.com>
Sent: Thursday, April 2, 2020 12:14 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Sofia Mastikhina <sofia.mastikhina@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>
Subject: RE: CASE Z-165-06

Planning Commission Members, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for Planning Commission review April 2. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: "*The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this zoning 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*", which includes Stipulation 19.

Stipulation 19 states "*That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.*". City Council approval was on October 10, 2007 and with the 48-month timing, the zoning was set to revert to S-1 as of 2011. To date there has been no development on the property and no action taken by the City to revert the zoning as required.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Janet Morris
3624 W. Bohl Street
Laveen, AZ 85339
602.561.9939

Racelle Escolar

From: Steven Dougherty <steven@stevendougherty.com>
Sent: Monday, April 20, 2020 5:41 PM
To: Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; PDD Laveen VPC; Mayor Gallego; Racelle Escolar; Sofia Mastikhina; Alan Stephenson; Joshua Bednarek; Samantha Keating
Cc: Steven Dougherty
Subject: Quarry Case at 35th Ave. & Carver/Ceton - Z-165-06-7

To: Planning Commission Members
Cc: Mayor Gallego, Councilmembers, Planning Management and Staff

Planning Commission Members,
I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulation:
    - **Deletion of original Stipulation 19 (zoning reversion):** This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.
    - **Stipulation 1:** The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion.
    - **Stipulation 10:** The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35th Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion.
    - **Stipulation 35:** The terraced berms should remain. They reduce the apparent height of the exposed escarpment and can be further stabilized and treated with compatible colors. These terraces also provide safety drop zones to intercept any debris that could fall from the upper slopes. The original terraced stipulation should remain intact as you act on the zoning reversion.
2. **Stipulations 43 and 44:** I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.
3. I am supportive of PHO's recommendations for the remaining stipulations **not** noted above

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Steven Dougherty
11222 S 39th LN
Laveen AZ 85339

Sincerely,
Steven Dougherty
Steven@StevenDougherty.com
480-430-6130 Cell

CONFIDENTIALITY NOTICE - This e-mail transmission and any documents, files or previous e-mail messages attached to it may contain information that is confidential or legally privileged. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that you must not read or play this transmission and that any disclosure, copying, printing, distribution or use of any of the information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify the sender by telephone or return e-mail and delete the original transmission and its attachments without reading, forwarding, saving or re-distributing in any manner.

Racelle Escolar

From: D M <darcy3535@gmail.com>
Sent: Tuesday, April 21, 2020 8:29 PM
To: Council District 1 PCC; Council District 5 PCC; Council District 6 PCC; Council District 8 PCC; Council District 7 PCC; Council District 4; Council District 3 PCC; Council District 2 PCC; PDD Laveen VPC; Mayor Gallego; Racelle Escolar; Sofia Mastikhina; Alan Stephenson; Joshua Bednarek; Samantha Keating
Subject: Deny Case Z-165-06 Do the right thing!

To: Planning Commission Members

Cc: Mayor Gallego, Councilmembers, Planning Management and Staff

Planning Commission Members,

I request you DENY Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulation:

   - **Deletion of original Stipulation 19 (zoning reversion):** This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.

   - **Stipulation 1:** The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion.

   - **Stipulation 10:** The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35th Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion.

   - **Stipulation 35:** The terraced berms should remain. They reduce the apparent height of the exposed escarpment and can be further stabilized and treated with compatible colors. These terraces

also provide safety drop zones to intercept any debris that could fall from the upper slopes. The original terraced stipulation should remain intact as you act on the zoning reversion.

2. **Stipulations 43 and 44:** I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.
3. I am supportive of PHO's recommendations for the remaining stipulations **not** noted above

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Darcy Meyer

3535 W Bohl St

Laveen, AZ 85339

Racelle Escolar

From: Ol' West <davidinlaveen@gmail.com>
Sent: Tuesday, April 21, 2020 8:35 PM
To: Council District 1 PCC; Council District 5 PCC; Council District 6 PCC; Council District 8 PCC; Council District 7 PCC; Council District 4; Council District 3 PCC; Council District 2 PCC; PDD Laveen VPC; Mayor Gallego; Racelle Escolar; Sofia Mastikhina; Alan Stephenson; Joshua Bednarek; Samantha Keating
Subject: Deny Case Z-165-06 Do the right thing!

To: Planning Commission Members

Cc: Mayor Gallego, Councilmembers, Planning Management and Staff

Planning Commission Members,

I request you DENY Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulation:

   - **Deletion of original Stipulation 19 (zoning reversion):** This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.

   - **Stipulation 1:** The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion.

   - **Stipulation 10:** The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35th Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion.

   - **Stipulation 35:** The terraced berms should remain. They reduce the apparent height of the exposed escarpment and can be further stabilized and treated with compatible colors. These terraces

also provide safety drop zones to intercept any debris that could fall from the upper slopes. The original terraced stipulation should remain intact as you act on the zoning reversion.

2. **Stipulations 43 and 44:** I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.
3. I am supportive of PHO's recommendations for the remaining stipulations **not** noted above

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

David J. Meyer

3535 W Bohl St

Laveen, AZ 85339

Racelle Escolar

From: Chris <chris@candssweeping.com>
Sent: Wednesday, April 22, 2020 9:07 AM
To: Council District 2 PCC; Council District 1 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; PDD Laveen VPC; Mayor Gallego; Racelle Escolar; Sofia Mastikhina; Alan Stephenson; Joshua Bednarek; Samantha Keating
Subject: Case Z-165-06 (PHO-1-19

To: Planning Commission Members
Cc: Mayor Gallego, Councilmembers, Planning Management and Staff

Planning Commission Members,
I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulation:
    - **Deletion of original Stipulation 19 (zoning reversion):** This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.
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3. I am supportive of PHO's recommendations for the remaining stipulations **not** noted above

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Christine A. Danielson
2943 W. Ceton Dr.
Laveen, AZ 85339

Racelle Escolar

From: Cyd Manning <SweetBeat@q.com>
Sent: Sunday, April 26, 2020 1:23 PM
To: Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; PDD Laveen VPC; Mayor Gallego; Racelle Escolar; Sofia Mastikhina; Alan Stephenson; Joshua Bednarek; Samantha Keating
Cc: catherine@mirandaforhouse.com
Subject: FW: Deny Case Z-165-06 (PHO-1-19) as filed

Importance: High

Forwarding the below to you as requested.

-----Original Message-----
From: Miranda For House [mailto:catherine@mirandaforhouse.com]
Sent: Sunday, April 26, 2020 11:33 AM
To: Cyd Manning
Cc: Dan Penton
Subject: Deny Case Z-165-06 (PHO-1-19) as filed

Cyd,

Can you please forward this letter to appropriate leaders? Thank you for all you are doing!

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

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3. I am supportive of PHO's recommendations for the remaining stipulations not noted above

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Catherine Miranda
5412 W. Ellis Dr.
Laveen, Az 85339
480-284-2690

Racelle Escolar

From: cynthiarojas@cox.net
Sent: Sunday, April 26, 2020 11:43 AM
To: Racelle Escolar; Alan Stephenson
Cc: Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC
Subject: Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members,

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Cynthia Rojas
1819 W. Desert View Drive
Phoenix AZ 85041
602-626-7102

Racelle Escolar

From: E douglas <lizesd@gmail.com>
Sent: Sunday, April 26, 2020 9:07 PM
To: Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Racelle Escolar; Sofia Mastikhina; Joshua Bednarek; Samantha Keating; PDD Laveen VPC
Subject: Case Z-165-06 (PHO-1-19)

To: Planning Commission Members

Cc: Mayor Gallego, Councilmembers, Planning Management and Staff

Planning Commission Members,

I would like to preface the below letter with some personal observations.

How many of you have driven to this area? Before making a decision take advantage of cheap gas and less traffic and come on down and drive from 51st Avenue across Carver to 35th Avenue. See the area on the ground, instead of relying on aerial photography.

When I moved to Laveen in 2000 all the nearby fields were zoned for one acre housing but were developed with four to six houses per acre. The city (and county) does not address the needed improvements to infrastructure, police/sheriff presence, fire department capability, surface streets, river crossings, schools, etc. Every month or two the newspaper runs an alarming article about water in the desert and yet you continue to approve high density developments throughout the city. I am dreading whatever ends up on the west side of 51st Avenue south of Olney.

With the above in mind:

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

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Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Elizabeth Douglas

4726 West Olney Avenue

Laveen, AZ 85339

Racelle Escolar

From: KIM Domovich <rwvblkwatch@gmail.com>
Sent: Sunday, April 26, 2020 11:31 AM
To: Racelle Escolar; Alan Stephenson
Cc: Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Samantha Keating; PDD Laveen VPC; Joshua Bednarek
Subject: PLEASE Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members,

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Respectfully,

Kim and Mike Domovich

5218 West Sunland Ave

Laveen AZ 85339

[nextdoor.com]

Racelle Escolar

From: Sarah VanSchyndel <sarah.vanschyndel@gmail.com>
Sent: Sunday, April 26, 2020 10:48 AM
To: Racelle Escolar; Alan Stephenson
Cc: Council District 2 PCC; Council District 1 PCC; Samantha Keating; Joshua Bednarek; Mayor Gallego; Council District 8 PCC; Council District 7 PCC; Council District 6 PCC; Council District 5 PCC; Council District 4; Council District 3 PCC
Subject: Deny Case Z-165-06 (PHO-1-19) as filed

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Sarah Johns
3913 W Carver Rd, Laveen Village, AZ 85339

Racelle Escolar

From: eddd2@aol.com
Sent: Sunday, April 26, 2020 1:19 PM
To: Racelle Escolar; Alan Stephenson
Cc: Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC
Subject: Deny Case Z-165-06 (PHO-1-19) as filed

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Tina Banks

4334 W Apollo Rd

Laveen AZ 85339

Racelle Escolar

From: Vance <vancevep@gmail.com>
Sent: Sunday, April 26, 2020 11:53 AM
To: Racelle Escolar; Alan Stephenson
Cc: Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC
Subject: Deny Case Z-165-06 (PHO-1-19) as filed

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Vance Pierce
8216 S 42nd Ave
Laveen, AZ 85339

Racelle Escolar

From: brian hicks <handymanhicks@gmail.com>
Sent: Monday, April 27, 2020 10:53 AM
To: Council District 2 PCC; Council District 1 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; PDD Laveen VPC; Mayor Gallego; Racelle Escolar; Sofia Mastikhina; Alan Stephenson; Joshua Bednarek; Samantha Keating
Cc: sweetbeat@q.com
Subject: Quarry Case at 35th Ave. & Carver/Ceton - Z-165-06-7

Planning Commission Members,

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Brian Hicks

4715 W Carver Rd

Laveen, AZ 85339

Racelle Escolar

From: Brian & Karie <carvercottage2018@gmail.com>
Sent: Monday, April 27, 2020 10:51 AM
To: Council District 2 PCC; Council District 1 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; PDD Laveen VPC; Mayor Gallego; Racelle Escolar; Sofia Mastikhina; Alan Stephenson; Joshua Bednarek; Samantha Keating
Cc: Cyd Manning
Subject: Quarry Case at 35th Ave. & Carver/Ceton - Z-165-06-7

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   - **Stipulation 35:** The terraced berms should remain. They reduce the apparent height of the exposed escarpment and can be further stabilized and treated with compatible colors. These terraces also provide safety drop zones to intercept any debris that could fall from the upper slopes. The original terraced stipulation should remain intact as you act on the zoning reversion.

2. **Stipulations 43 and 44:** I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.
3. I am supportive of PHO's recommendations for the remaining stipulations **not** noted above

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Karie Hicks

4715 W Carver Rd

Laveen, AZ 85339

Racelle Escolar

From: Lara Andren <cheesethepit@gmail.com>
Sent: Monday, April 27, 2020 9:39 AM
To: Racelle Escolar; Alan Stephenson
Cc: Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; PDD Laveen VPC; Samantha Keating; Council District 4; Council District 5 PCC; council.district.6@phoenix.org; Council District 7 PCC; Mayor Gallego; Joshua Bednarek; Council District 8 PCC
Subject: Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulation:

- Deletion of original Stipulation 19 (zoning reversion): This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.
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Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

CASSIE SAWYER

3621 W BOHL STREET
LAVEEN, AZ. 85339

ADDRESS — with Brent Bialik and 15 others at Laveen, Arizona.

Racelle Escolar

Subject: FW: Deny Case Z-165-06 (PHO-1-19) as filed

From: Lara Andren <cheesethepit@gmail.com>
Sent: Monday, April 27, 2020 9:43 AM
To: Racelle Escolar <racelle.escolar@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>
Cc: Council District 1 PCC <council.district.1@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Council District 5 PCC <council.district.5@phoenix.gov>; council.district.6@phoenix.org; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>
Subject: Fwd: Deny Case Z-165-06 (PHO-1-19) as filed

Subject: Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulation:

- Deletion of original Stipulation 19 (zoning reversion): This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.
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2. Stipulations 43 and 44: I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.

3. I am supportive of PHO's recommendations for the remaining stipulations not noted above

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Lara Andren
3621 W BOHL STREET
LAVEEN, AZ. 85339

Racelle Escolar

From: lvializ@cox.net
Sent: Monday, April 27, 2020 11:32 AM
To: Racelle Escolar; Alan Stephenson
Cc: Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC
Subject: Deny Case Z-165-06 (PHO-1-19) As Filed

Importance: High

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7th, 2020. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date, the City has taken no action, despite NUMEROUS requests, which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulations:
    - **Deletion of original Stipulation 19 (zoning reversion):** This zoning reversion stipulation should NOT be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.
    - **Stipulation 1:** The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion.
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2. **Stipulations 43 and 44:** I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.

3. I am supportive of PHO's recommendations for the remaining stipulations **not** noted above.

Again, the **zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted**. In 2007, the Mayor and Council included this stipulation SPECIFICALLY to protect the neighbors and community from a high density development that DID NOT fit the area then and DOES NOT fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Thank you,
Ivan Vializ
8921 S 53rd Dr.
Laveen, AZ 85339

Racelle Escolar

From: Rob <rockmano@aol.com>
Sent: Monday, April 27, 2020 6:01 AM
To: Racelle Escolar; Alan Stephenson
Cc: Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC
Subject: Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members,

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Robert Olson
2809 and 2821 W. Avion Way
Laveen, AZ 85339

Racelle Escolar

From: chris johns <christopher.1.johns@outlook.com>
Sent: Tuesday, April 28, 2020 4:47 PM
To: Alan Stephenson; Racelle Escolar
Cc: Council District 2 PCC; Council District 1 PCC; Joshua Bednarek; Samantha Keating; Mayor Gallego; Council District 8 PCC; Council District 7 PCC; Council District 6 PCC; Council District 5 PCC; Council District 4; Council District 3 PCC
Subject: Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

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Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Chris Johns
3913 W Carver Rd, Laveen Village, AZ 85339

Racelle Escolar

From: Mike <luzader13@gmail.com>
Sent: Tuesday, April 28, 2020 9:58 AM
To: Racelle Escolar; Alan Stephenson
Cc: Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC
Subject: Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

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Michael Luzader
9446 S 34th Ln, Laveen

Racelle Escolar

From: Sylvia Cox <pugmobile.sly@gmail.com>
Sent: Tuesday, April 28, 2020 9:56 AM
To: Racelle Escolar; Alan Stephenson
Cc: Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC
Subject: Deny Case Z-165-06 (PHO-1-19) as filed

Hello City of Phoenix Planning Commission,
As a 21-year resident of Laveen, I am highly opposed to any more high-density development in our area. Sadly, much of Laveen now looks like most of Phoenix. The rural feel and space that make our village so special are rapidly being destroyed. We have precious few opportunities left to preserve larger lots and open spaces. I beg of you, please work to preserve some of our rural feel by not approving more high-density development! Please adhere to the General Plan; once these spaces are developed, they will be gone forever. I am sure developers will still be able to make money, as the less-densely developed areas will be highly coveted by buyers who want some space between themselves and their neighbors.

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

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2. I am supportive of PHO's recommendations for the remaining stipulations not noted above

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Please do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Respectfully,
Sylvia Cox
4601 W. Crivello Ave.
Laveen, AZ 85339

Racelle Escolar

From: alexis cherie <alexischerie@gmail.com>
Sent: Wednesday, April 29, 2020 2:29 PM
To: Racelle Escolar; Alan Stephenson
Cc: Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC
Subject: Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members,

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Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Alexis Barnes
4323 W Piedmont Rd, Laveen Village, AZ 85339

Racelle Escolar

Subject: FW: Deny Case Z-165-06 (PHO-1-19) as filed

From: Andrea Sigala <andrea_sigala@yahoo.com>
Sent: Wednesday, April 29, 2020 5:34 PM
To: Racelle Escolar <racelle.escolar@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>
Cc: Council District 1 PCC <council.district.1@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 6 PCC <District6@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 5 PCC <council.district.5@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Subject: Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

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2. Stipulations 43 and 44: I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.
3. I am supportive of PHO's recommendations for the remaining stipulations not noted above

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Andrea N. Sigala
4315 West Carver Road, Laveen AZ 85339

Sent from Yahoo Mail on Android [go.onelink.me]

Racelle Escolar

From: B F <benjamin_fisher@hotmail.com>
Sent: Wednesday, April 29, 2020 1:55 PM
To: Racelle Escolar; Alan Stephenson
Cc: Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC
Subject: Deny Case Z-165-06 (PHO-1-19) as filed

Importance: High

Dear Planning Commission Members:

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

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Respectfully yours,

Benjamin W. Fisher
4745 W. Piedmont Drive
Laveen, AZ 85339-9644
602.617.6143 – Cell
benjamin_fisher@hotmail.com

Racelle Escolar

Subject: FW: Deny Case Z-165-06 (PHO-1-19) as filed

From: Janet Morris <janetmorriscpa@gmail.com>
Sent: Wednesday, April 29, 2020 12:03 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Council District 1 PCC <council.district.1@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Council District 5 PCC <council.district.5@phoenix.gov>; Council District 6 PCC <District6@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Subject: RE: Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members, I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter. In regards to the Planning Hearing Officer (PHO) recommendations: 1. I am adamantly opposed to these 4 stipulation: • Deletion of original Stipulation 19 (zoning reversion): This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant. • Stipulation 1: The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion. • Stipulation 10: The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35th Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion. • Stipulation 35: The terraced berms should remain. They reduce the apparent height of the exposed escarpment and can be further stabilized and treated with compatible colors. These terraces also provide safety drop zones to intercept any debris that could fall from the upper slopes. The original terraced stipulation should remain intact as you act on the zoning reversion. 2. Stipulations 43 and 44: I request my name and address be added to these notification stipulations so I will be formally notified of any future actions. 3. I am supportive of PHO's recommendations for the remaining stipulations not noted above Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today. Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning. JANET D MORRIS
3624 W BOHL STREET
LAVEEN, AZ 85339

Racelle Escolar

From: Jessie McKinley <jessiemckinley602@gmail.com>
Sent: Wednesday, April 29, 2020 6:45 PM
To: Racelle Escolar; Alan Stephenson
Cc: Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC
Subject: Deny Case Z-165-06 (PHO-1-19) as filed...

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Respectfully yours,

Jessie L. McKinley
4745 W. Piedmont Drive
Laveen, AZ 85339
480-648-5269
jessiemckinley602@gmail.com

--

"Dance, like no one is watching..."

Racelle Escolar

Subject: FW: Deny Case Z-165-06 (PHO-1-19) as filed

From: Steven Dougherty <steven@stevendougherty.com>
Sent: Wednesday, April 29, 2020 4:42 PM
To: Racelle Escolar <racelle.escolar@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>
Cc: Steven Dougherty <steven@stevendougherty.com>; Council District 1 PCC <council.district.1@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Council District 5 PCC <council.district.5@phoenix.gov>; Council District 6 PCC <District6@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Subject: Deny Case Z-165-06 (PHO-1-19) as filed

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Steven Dougherty
11222 S 39th LN
Laveen AZ 85339

Sincerely,
Steven Dougherty
Steven@StevenDougherty.com
480-430-6130 Cell
CONFIDENTIALITY NOTICE - This e-mail transmission and any documents, files or previous e-mail messages attached to it may contain information that is confidential or legally privileged. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that you must not read or play this transmission and that any disclosure, copying, printing, distribution or use of any of the information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify the sender by telephone or return e-mail and delete the original transmission and its attachments without reading, forwarding, saving or re-distributing in any manner.

Racelle Escolar

From: Susan Quintana <s.quintana888@gmail.com>
Sent: Wednesday, April 29, 2020 9:00 AM
To: Alan Stephenson; Council District 6 PCC; Racelle Escolar
Cc: Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 7 PCC; Council District 8 PCC; Joshua Bednarek; PDD Laveen VPC; Mayor Gallego; Samantha Keating
Subject: Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members,

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Susan Quintana
5217 W Grenadine Rd
Laveen, AZ 85339.
--
Susan Quintana

Racelle Escolar

From: R B <kroywen@icloud.com>
Sent: Thursday, April 30, 2020 1:37 PM
To: Racelle Escolar; Alan Stephenson
Cc: Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC
Subject: ESCALATE - Deny Case Z-165-06 (PHO-1-19) as filed

Good afternoon, below is a copy-paste of the same topic for which your office must have already received lots of inquiries from us Laveen residents.
Frankly, we as your constituents and fellow residents shouldn't have to be doing this over and over again - we already asked you to STOP these developers from building in our community.

Yet you continue to allow these developers to move ahead. You are not acting in the best interest of the people you are supposed to help and protect - us residents.

You continue to act in the interest of well-funded developers and that's not right.

Why do we need to keep begging you to do the right thing and make them stop?
Why do we need to keep having meetings and do letter writing campaigns about this?
We already said NO.
Then we said NO again.

We do not want this developer or any other developer to build in our area at this density level. We made this clear. Then we made it clear again.

Now we are - once again - making it clear.

So please, add this email to your growing list of pleas to stop this development. We. Do. Not. Want. It.

Thank you

-Cenk Brown
7259 S. 48TH GLN
Laveen, Arizona 85339

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Planning Commission Members,

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Cenk Brown
7259 S. 48TH GLN
Laveen, AZ 85339

Racelle Escolar

From: Donna Snow <carart617@hotmail.com>
Sent: Thursday, April 30, 2020 10:19 AM
To: Racelle Escolar
Cc: Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC
Subject: Deny Case Z-165-06 (PHO-1-19) as filed

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Sincerely,

Donna Snow
6806 W. Desert Lane
Laveen, AZ 85339

Racelle Escolar

From: Jody Monreal <mskitty1212@gmail.com>
Sent: Thursday, April 30, 2020 10:40 AM
To: Racelle Escolar; Alan Stephenson; Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC
Subject: Deny Case Z-165-06 (PHO-1-19) as filed

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Jody R Monreal 5327 W Allen Street Laveen, AZ 85339

Deny Case Z-165-06 (PHO-1-19) as filed

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• Stipulation 1: The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion.
• Stipulation 10: The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35th Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion.
• Stipulation 35: The terraced berms should remain. They reduce the apparent height of the exposed escarpment and can be further stabilized and treated with compatible colors. These terraces also provide safety drop zones to intercept any debris that could fall from the upper slopes. The original terraced stipulation should remain intact as you act on the zoning reversion.
2. Stipulations 43 and 44: I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.
3. I am supportive of PHO's recommendations for the remaining stipulations not noted above
Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.
Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

LAURA A MURPHY
4824 W ESTRELLA DR
LAVEEN, AZ 85339

Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members,
I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.
In regards to the Planning Hearing Officer (PHO) recommendations:
1. I am adamantly opposed to these 4 stipulation:
• Deletion of original Stipulation 19 (zoning reversion): This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.
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Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

LISA K PIKE
4824 W ESTRELLA DR
LAVEEN, AZ 85339

Racelle Escolar

From: M A <mavina480@gmail.com>
Sent: Thursday, April 30, 2020 12:27 PM
To: Racelle Escolar; Alan Stephenson
Cc: Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC
Subject: Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members, I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter. In regards to the Planning Hearing Officer (PHO) recommendations: 1. I am adamantly opposed to these 4 stipulation: • Deletion of original Stipulation 19 (zoning reversion): This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant. • Stipulation 1: The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion. • Stipulation 10: The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35th Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion. • Stipulation 35: The terraced berms should remain. They reduce the apparent height of the exposed escarpment and can be further stabilized and treated with compatible colors. These terraces also provide safety drop zones to intercept any debris that could fall from the upper slopes. The original terraced stipulation should remain intact as you act on the zoning reversion. 2. Stipulations 43 and 44: I request my name and address be added to these notification stipulations so I will be formally notified of any future actions. 3. I am supportive of PHO's recommendations for the remaining stipulations not noted above Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today. Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning. Mindy Avina 3522 W Bohl St, Laveen Village, AZ 85339

Racelle Escolar

Subject: FW: Deny Case Z-165-06 (PHO-1-19) as filed.

From: Moises Quintana <Moises.Quintana@hotmail.com>
Sent: Thursday, April 30, 2020 11:46 AM
To: Racelle Escolar <racelle.escolar@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>
Cc: Council District 1 PCC <council.district.1@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Council District 5 PCC <council.district.5@phoenix.gov>; Council District 6 PCC <District6@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Subject: Deny Case Z-165-06 (PHO-1-19) as filed.

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulation:
- Deletion of original Stipulation 19 (zoning reversion): This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.
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Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Moises Quintana
5217 W Grenadine Rd
Laveen, AZ 85339

Get Outlook for iOS [aka.ms]

Racelle Escolar

Subject: FW: Please deny Case Z-165-06 (PHO-1-19)

From: Randy Holmes <holmes1512@gmail.com>
Sent: Thursday, April 30, 2020 1:30 PM
To: Council District 1 PCC <council.district.1@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Council District 5 PCC <council.district.5@phoenix.gov>; Council District 6 PCC <District6@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Racelle Escolar <racelle.escolar@phoenix.gov>; Sofia Mastikhina <sofia.mastikhina@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>
Subject: Please deny Case Z-165-06 (PHO-1-19)

Planning Commission Members,
I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

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Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Randy L Holmes
10909 S. 29th Ave
Laveen, AZ 85339

Racelle Escolar

From: ROB HARGREAVES <b737rob@msn.com>
Sent: Thursday, April 30, 2020 3:02 PM
To: Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; PDD Laveen VPC; Mayor Gallego; Racelle Escolar; Sofia Mastikhina; Alan Stephenson; Joshua Bednarek; Samantha Keating
Subject: Case Z-165-06 (PHO-1-19)

To: Planning Commission Members
Cc: Mayor Gallego, Councilmembers, Planning Management and Staff

Planning Commission Members,
I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

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Robert Hargreaves
3102 W Ceton Dr.
Laveen, AZ 85339

Racelle Escolar

Subject: FW: Case Z-165-06 (PHO-1-19)

From: Kristofic, Stephanie L. <Stephanie.Kristofic@va.gov>
Sent: Thursday, April 30, 2020 1:11 PM
To: Racelle Escolar <racelle.escolar@phoenix.gov>
Subject: Case Z-165-06 (PHO-1-19)

Planning Commission Members,
I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

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Warm regards,

Stephanie Kristofic 10826 s 30th Ave Laveen
Stephanie Kristofic BSN, RN, CDCES
Certified Diabetes Care and Education Specialist
Department of Endocrinology
Phoenix VA Health Care System
Phone: 602-277-5551 Ext 7081
Fax: 602-200-6034 Email: stephanie.kristofic@va.gov

Racelle Escolar

From: Swati Joshi <sjoshi1729@yahoo.com>
Sent: Thursday, April 30, 2020 10:57 AM
To: Racelle Escolar; Alan Stephenson
Cc: Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC
Subject: Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members, I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter. In regards to the Planning Hearing Officer (PHO) recommendations: 1. I am adamantly opposed to these 4 stipulation: • Deletion of original Stipulation 19 (zoning reversion): This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant. • Stipulation 1: The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion. • Stipulation 10: The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35th Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion. • Stipulation 35: The terraced berms should remain. They reduce the apparent height of the exposed escarpment and can be further stabilized and treated with compatible colors. These terraces also provide safety drop zones to intercept any debris that could fall from the upper slopes. The original terraced stipulation should remain intact as you act on the zoning reversion. 2. Stipulations 43 and 44: I request my name and address be added to these notification stipulations so I will be formally notified of any future actions. 3. I am supportive of PHO's recommendations for the remaining stipulations not noted above Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today. Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning. Swati Joshi
8539 S. 40th Drive
Laveen, AZ 85339

Racelle Escolar

Subject: FW: Quarry Case at 35th Ave. & Carver/Ceton - Z-165-06-7

From: Anne McKinney <volnay@gmail.com>
Sent: Friday, May 1, 2020 1:33 PM
To: Council District 1 PCC <council.district.1@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Council District 5 PCC <council.district.5@phoenix.gov>; Council District 6 PCC <District6@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Racelle Escolar <racelle.escolar@phoenix.gov>; Sofia Mastikhina <sofia.mastikhina@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>
Subject: Quarry Case at 35th Ave. & Carver/Ceton - Z-165-06-7

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

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Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Anne McKinney
10827 S 30th Ave
Laveen AZ 85339

Racelle Escolar

Subject: FW: deny Case Z-165-06 (PHO-1-19)

From: Bernadette Buehlmann <bernadettebuehlmann@gmail.com>
Sent: Friday, May 1, 2020 5:03 PM
To: Racelle Escolar <racelle.escolar@phoenix.gov>
Subject: deny Case Z-165-06 (PHO-1-19)

To: Planning Commission Members
Cc: Mayor Gallego, Councilmembers, Planning Management and Staff

Planning Commission Members,
I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

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    - **Stipulation 35:** The terraced berms should remain. They reduce the apparent height of the exposed escarpment and can be further stabilized and treated with compatible colors. These terraces also provide safety drop zones to intercept any debris that could fall from the upper slopes. The original terraced stipulation should remain intact as you act on the zoning reversion.
2. **Stipulations 43 and 44:** I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.
3. I am supportive of PHO's recommendations for the remaining stipulations **not** noted above

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Thank you,

Bernadette Buehlmann, Laveen

Racelle Escolar

From: RK <7359.apps@gmail.com>
Sent: Friday, May 1, 2020 6:40 PM
To: Racelle Escolar; Alan Stephenson
Cc: Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC
Subject: Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulation:

• Deletion of original Stipulation 19 (zoning reversion): This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.

• Stipulation 1: The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion.

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2. Stipulations 43 and 44: I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.

3. I am supportive of PHO's recommendations for the remaining stipulations not noted above.

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

PLEASE do the required and right thing.

Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Kavi Raj,

4309 W Buist Ave, Laveen, 85339

Racelle Escolar

From: Kim Kissel <k.kissel@comcast.net>
Sent: Friday, May 1, 2020 2:11 PM
To: Racelle Escolar; Alan Stephenson
Cc: Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC
Subject: Deny Case Z-165-06 (PHO-1-19) as Filed

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action, which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulation:

- Deletion of original Stipulation 19 (zoning reversion): This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.

- Stipulation 1: The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion.

- Stipulation 10: The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35th Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion.

- Stipulation 35: The terraced berms should remain. They reduce the apparent height of the exposed escarpment and can be further stabilized and treated with compatible colors. These terraces also provide safety drop zones to intercept any debris that could fall from the upper slopes. The original terraced stipulation should remain intact as you act on the zoning reversion.

2. Stipulations 43 and 44: I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.

3. I am supportive of PHO's recommendations for the remaining stipulations not noted above

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

I pray you, your families and colleagues are staying safe and healthy during this new season in our lives.

God Bless,
Kimberly Kissel
June Skies
5124 W Lydia Ln
Laveen AZ 85339

“For every house is built by someone, but God is the builder of everything.” Heb 3:4

Racelle Escolar

From: Matt Klein <mattklein999@gmail.com>
Sent: Friday, May 1, 2020 4:51 AM
To: Racelle Escolar; Alan Stephenson
Cc: Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC
Subject: Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members, I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter. In regards to the Planning Hearing Officer (PHO) recommendations: 1. I am adamantly opposed to these 4 stipulation: • Deletion of original Stipulation 19 (zoning reversion): This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant. • Stipulation 1: The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion. • Stipulation 10: The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35th Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion. • Stipulation 35: The terraced berms should remain. They reduce the apparent height of the exposed escarpment and can be further stabilized and treated with compatible colors. These terraces also provide safety drop zones to intercept any debris that could fall from the upper slopes. The original terraced stipulation should remain intact as you act on the zoning reversion. 2. Stipulations 43 and 44: I request my name and address be added to these notification stipulations so I will be formally notified of any future actions. 3. I am supportive of PHO's recommendations for the remaining stipulations not noted above Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today. Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning. Matt Klein
9812 S 46th Ln
Laveen, AZ

Racelle Escolar

From: drmelissaprice@aol.com
Sent: Friday, May 1, 2020 3:08 PM
To: Racelle Escolar; Alan Stephenson
Cc: Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC
Subject: Deny Case Z-165-06 (PHO-1-19) as filed

Dear Planning Commission Members,
My neighbors all throughout the Laveen region and I feel that the following is so important. We are untied in the following statement because this is where we live. Personally, I have watched Laveen grow, in some ways for the better and some for the worse. Allowing the following four stipulations would clearly fall in the latter category.
As such, I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter. In regards to the Planning Hearing Officer (PHO) recommendations: 1. I am adamantly opposed to these 4 stipulation: • Deletion of original Stipulation 19 (zoning reversion): This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant. • Stipulation 1: The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion. • Stipulation 10: The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35th Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion. • Stipulation 35: The terraced berms should remain. They reduce the apparent height of the exposed escarpment and can be further stabilized and treated with compatible colors. These terraces also provide safety drop zones to intercept any debris that could fall from the upper slopes. The original terraced stipulation should remain intact as you act on the zoning reversion. 2. Stipulations 43 and 44: I request my name and address be added to these notification stipulations so I will be formally notified of any future actions. 3. I am supportive of PHO's recommendations for the remaining stipulations not noted above Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today. Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Sincerely,

Dr. Melissa Price
5333 W. Ian Dr.
Laveen, AZ 85339

Racelle Escolar

From: RK K <cars7359@gmail.com>
Sent: Friday, May 1, 2020 6:43 PM
To: Racelle Escolar; Alan Stephenson
Cc: Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC
Subject: Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulation:

• Deletion of original Stipulation 19 (zoning reversion): This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.

• Stipulation 1: The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion.

• Stipulation 10: The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35th Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion.

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2. Stipulations 43 and 44: I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.

3. I am supportive of PHO's recommendations for the remaining stipulations not noted above.

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

PLEASE do the required and right thing.

Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Rohini Kun,

4309 W Buist Ave, Laveen, 85339

Racelle Escolar

From: Cyd Manning <SweetBeat@q.com>
Sent: Saturday, May 2, 2020 4:01 PM
To: Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Racelle Escolar; Sofia Mastikhina; Alan Stephenson; Joshua Bednarek; Samantha Keating; PDD Laveen VPC
Subject: Deny Z-165-06 (PHO-1-19) at May 7 Planning Commission

Importance: High

Planning Commission Members,
I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning to revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that was incompatible with the area then and remains incompatible today. The inaction since the time stipulation expired in 2011 has wronged the community of Laveen as we expected the zoning reversion to occur. The City needs and should want to do the right thing. This Commission and Council have the obligation, duty and authority to act and honor the zoning reversion.

In regards to the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulation:
    - **Deletion of original Stipulation 19 (zoning reversion):** This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.
    - **Stipulation 1:** The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion.
    - **Stipulation 10:** The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35th Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion.
    - **Stipulation 35:** The terraced berms should remain. They reduce the apparent height of the exposed escarpment and can be further stabilized and treated with compatible colors. These terraces also provide safety drop zones to intercept any debris that could fall from the upper slopes. The original terraced stipulation should remain intact as you act on the zoning reversion.
2. **Stipulations 43 and 44:** I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.
3. I am supportive of PHO's recommendations for the remaining stipulations **not** noted above

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Sincerely,

Cyd Manning
3220 W. Ceton Drive
sweetbeat@q.com

Racelle Escolar

From: EMAIL TEAM <garyinlaveen@yahoo.com>
Sent: Saturday, May 2, 2020 10:36 AM
To: Council District 1 PCC; council.distict.2@phoenix.gov; coucil.district.3@phoenix.gov; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; laveenpc@phoenix.gov; Mayor Gallego; Racelle Escolar; Sofia Mastikhina; Alan Stephenson; Joshua Bednarek; Samantha Keating
Subject: Quarry Case Z-165-06-7 (PHO-1-19)_1-15-20PHO.PDF

Hello All,
I request you deny the Case # above. And I am opposed to Stipulations 1, 10, 19, 35, 43 and 44.
Please take into consideration our Community life style when making your decision-we would like to keep it semi-rural.
Sincerly,
Gary Jordan
3603 W. Shawnee Dr.
Laveen, Az 85339

Racelle Escolar

From: C Gunderson <carrsgun@gmail.com>
Sent: Sunday, May 3, 2020 8:36 PM
To: Alan Stephenson; Racelle Escolar
Cc: Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC
Subject: Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members, I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter. In regards to the Planning Hearing Officer (PHO) recommendations: 1. I am adamantly opposed to these 4 stipulation: • Deletion of original Stipulation 19 (zoning reversion): This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant. • Stipulation 1: The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion. • Stipulation 10: The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35th Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion. • Stipulation 35: The terraced berms should remain. They reduce the apparent height of the exposed escarpment and can be further stabilized and treated with compatible colors. These terraces also provide safety drop zones to intercept any debris that could fall from the upper slopes. The original terraced stipulation should remain intact as you act on the zoning reversion. 2. Stipulations 43 and 44: I request my name and address be added to these notification stipulations so I will be formally notified of any future actions. 3. I am supportive of PHO's recommendations for the remaining stipulations not noted above Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today. Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Regards,

Carolyn Gunderson
3514 W Cheyenne Dr.
Laveen, AZ85339

Racelle Escolar

From: Deirdre Sparling <dspard@icloud.com>
Sent: Sunday, May 3, 2020 7:59 AM
To: Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; PDD Laveen VPC; Mayor Gallego; Racelle Escolar; Sofia Mastikhina; Alan Stephenson; Joshua Bednarek; Samantha Keating
Subject: Case Z-165-06 (PHO-1-19)

To: Planning Commission Members

Cc: Mayor Gallego, Councilmembers, Planning Management and Staff

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulation:
    - **Deletion of original Stipulation 19 (zoning reversion):** This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.
    - **Stipulation 1:** The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion.
    - **Stipulation 10:** The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35th Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion.
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2. **Stipulations 43 and 44:** I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.
3. I am supportive of PHO's recommendations for the remaining stipulations **not** noted above

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Sincerely,

Deirdre Sparling
9819 S. 20th Ave
Phoenix, 85041

Racelle Escolar

From: Donna Schober <donna.schober@gmail.com>
Sent: Sunday, May 3, 2020 11:27 AM
To: Council District 8 PCC; Council District 3 PCC; Alan Stephenson; Council District 4; Council District 7 PCC; Joshua Bednarek; Council District 1 PCC; Council District 2 PCC; Council District 5 PCC; Council District 6 PCC; PDD Laveen VPC; Mayor Gallego; Racelle Escolar; Sofia Mastikhina; Samantha Keating
Subject: CASE Z-165-06 (PHO-1-19)

Planning Commission Members,
We request that you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City enforces ordinance G-5020 which requires that the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

With regard to the Planning Hearing Officer (PHO) recommendations we are opposed to these four stipulations:

Deletion of original Stipulation 19 (zoning reversion).

Stipulation 1: The original plan is far superior to the applicant's current proposal. The original plan suits site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain.

Stipulation 10: The 200 foot minimum landscaped setback along the east property line should remain. This will serve as a needed buffer to screen the higher density and 2-story buildings and provide better buffering surrounding the large acre plus parcels with custom homes.

Stipulation 35: The terraced berms should remain. This will help stabilize the slopes.

Stipulations 43 and 44: Please add our names to the notification stipulations so we will be notified of any future actions.

We support the PHO's recommendations for the remaining stipulations NOT noted above.

We have lived in Laveen, close to this land, for over 20 years. This is an area where large lots and custom homes live. Where homeowners and others take advantage of the mountain views and wide open spaces.

Please do the right thing. Deny Case Z-165-06 (PHO-1-19) as filed. Don't break faith and trust with the residents of this community.

Sincerely,

Donna J. Schober
Marvin A. Sondag
10840 S 30th Ave
Laveen, AZ 85339
602.237.4887

Racelle Escolar

From: Elizabeth Banta <ebanta3938@gmail.com>
Sent: Sunday, May 3, 2020 12:28 PM
To: Racelle Escolar
Subject: Denial strongly requested for Case Z-165-06 (PHO-1-19)

To: Planning Commission Members

Cc: Mayor Gallego, Councilmembers, Planning Management and Staff

Planning Commission Members,

I am a member of the area greatly and negatively affected by Case Z-165-06 (PHO-1-19). So much of Greater Phoenix contains high density, cookie-cutter communities. Please preserve a unique jewel in our Valley by denying Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulation:

   - **Deletion of original Stipulation 19 (zoning reversion):** This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.

   - **Stipulation 1:** The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion.

   - **Stipulation 10:** The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35th Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion.

   - **Stipulation 35:** The terraced berms should remain. They reduce the apparent height of the exposed escarpment and can be further stabilized and treated with compatible colors. These terraces

also provide safety drop zones to intercept any debris that could fall from the upper slopes. The original terraced stipulation should remain intact as you act on the zoning reversion.

2. **Stipulations 43 and 44:** I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.
3. I am supportive of PHO's recommendations for the remaining stipulations **not** noted above

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Sincerely,
Elizabeth K Banta
3938 W Kayenta Trail
Laveen, AZ 85339
480-353-6019

Racelle Escolar

From: Jamie Gunderson <jamiegun@gmail.com>
Sent: Sunday, May 3, 2020 8:23 PM
To: Alan Stephenson; Racelle Escolar
Cc: Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC
Subject: Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members, I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter. In regards to the Planning Hearing Officer (PHO) recommendations: 1. I am adamantly opposed to these 4 stipulation: • Deletion of original Stipulation 19 (zoning reversion): This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant. • Stipulation 1: The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion. • Stipulation 10: The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35th Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion. • Stipulation 35: The terraced berms should remain. They reduce the apparent height of the exposed escarpment and can be further stabilized and treated with compatible colors. These terraces also provide safety drop zones to intercept any debris that could fall from the upper slopes. The original terraced stipulation should remain intact as you act on the zoning reversion. 2. Stipulations 43 and 44: I request my name and address be added to these notification stipulations so I will be formally notified of any future actions. 3. I am supportive of PHO's recommendations for the remaining stipulations not noted above Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today. Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Regards,

Jamie Gunderson
3514 W Cheyenne Drive
Laveen, AZ 85339

To: Planning Commission Members
Cc: Mayor Gallego, Councilmembers, Planning Management and Staff

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Margaret H. Anderson
2010 W Olney Ave.
Phoenix, AZ 85041

Racelle Escolar

Subject: FW: Oppose case Z-165-06 (PHO-1-19)

From: Nicole Glasgow <nicole.glasgow821@gmail.com>
Sent: Sunday, May 3, 2020 2:19 PM
To: Council District 1 PCC <council.district.1@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Council District 5 PCC <council.district.5@phoenix.gov>; Council District 6 PCC <District6@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Racelle Escolar <racelle.escolar@phoenix.gov>; Sofia Mastikhina <sofia.mastikhina@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>
Subject: Oppose case Z-165-06 (PHO-1-19)

Planning Commission Members,
I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

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Nicole Glasgow
3717 west Carver Rd
Laveen, AZ 85339

Racelle Escolar

From: Paul Banta <pwbantaz@gmail.com>
Sent: Sunday, May 3, 2020 12:53 PM
To: Racelle Escolar
Subject: Request to deny Case Z-165-06 (PHO-1-19)

To: Planning Commission Members

Cc: Mayor Gallego, Councilmembers, Planning Management and Staff

Planning Commission Members,

I live near the area addressed by Case Z-165-06 (PHO-1-19). I understand that a development company can make more money by getting a low density property re-zoned to high density; but that alone does not seem like a sufficient reason to allow the change. And, if this property is so easily re-zoned, how will you be able to deny the owners of the other properties in the area? This location does not have the roads to support high density development. There is lots of vacant land between this location and central Phoenix. Please fill that up first. Better, revitalize some of the decayed and run-down areas instead of just going farther out.

Please deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

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Sincerely,
Paul W Banta
3938 W Kayenta Trail
Laveen, AZ 85339
480-353-6014

To: Planning Commission Members
Cc: Mayor Gallego, Councilmembers, Planning Management and Staff

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Randy Beyer
2010 W Olney Ave.
Phoenix, AZ 85041

Racelle Escolar

Subject: FW: Oppose case Z-165-06 (PHO-1-19)

From: Nicole Glasgow <blue_eyes821@aol.com>
Sent: Sunday, May 3, 2020 5:32 PM
To: Council District 1 PCC <council.district.1@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Council District 5 PCC <council.district.5@phoenix.gov>; Council District 6 PCC <District6@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Racelle Escolar <racelle.escolar@phoenix.gov>; Sofia Mastikhina <sofia.mastikhina@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>
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Thomas Glasgow
3717 west Carver Rd
Laveen, AZ 85339

To: Planning Commission Members
Cc: Mayor Gallego, Councilmembers, Planning Management and Staff

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Tiffany Beyer
2010 W Olney Ave.
Phoenix, AZ 85041

Racelle Escolar

From: David Baker <david@beinphoenix.com>
Sent: Monday, May 4, 2020 11:02 AM
To: Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Alan Stephenson; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Racelle Escolar; Sofia Mastikhina; Joshua Bednarek; Samantha Keating; PDD Laveen VPC
Cc: David Baker
Subject: Item 10 - PHO -1-19-Z-165--06-7(8)

Hello Folks,

Quick, simple note. Regarding the above mentioned development.

Myself, my wife, my kids and all our neighbors over here in the Sunset Cove and Carver Foothill area, DO NOT want this higher density development. Please do the right thing, keep the zoning at R-43, which is the plan for the area. It is a rural, horse property/acreage area…….not a developed area.

Thank you,

David Baker
Keller Williams Realty Phoenix
Cell:602.373.6345
E-mail: david@beinPhoenix.com
Visit my websites at
http://www.PhoenixLaveenHomes.com [phoenixlaveenhomes.com]
http://www.LaveenRealEstate.co [laveenrealestate.co]
http://www.LaveenAz85339.com [laveenaz85339.com]
http://www.CasasLaveen.com [casaslaveen.com]
http://www.Laveenhomesforsale.net [laveenhomesforsale.net]

Subscribe today to my YOUTUBE Channel
https://www.youtube.com/user/dabaker2121 [youtube.com]
"Like" me on Facebook at *Phoenix Residential Real Estate [facebook.com]*

Racelle Escolar

Subject: FW: Case Z-165-06

From: gjnorton0744@gmail.com <gjnorton0744@gmail.com>
Sent: Monday, May 4, 2020 10:33 AM
To: Racelle Escolar <racelle.escolar@phoenix.gov>
Subject: Case Z-165-06

To: Planning Commission Members
Cc: Mayor Gallego, Councilmembers, Planning Management and Staff

Planning Commission Members,
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Gloria Norton
10823 S 29 Ave
Laveen, Az 85339

Racelle Escolar

From: Linda Abegg <linda.abegg@gmail.com>
Sent: Monday, May 4, 2020 11:42 AM
To: Racelle Escolar
Cc: Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Sofia Mastikhina; Alan Stephenson; Joshua Bednarek; Samantha Keating
Subject: Laveen Case

Good Morning,
I am a Laveen resident and member of the Laveen Village Planning Committee. I ask that this case be denied and that the reversion stipulation be maintained.

We always talk about having a balance in Laveen housing. This area is at Carver Rd is one of the few rural, low density areas left. It deserves to keep its character, especially considering all the high density already approved in Laveen.

Furthermore, the community has done its part to participate in the public hearing process. The original compromise with the reversion stipulation should be honored.

Thank you,

Linda Abegg
5407 W Winston Dr

Racelle Escolar

Subject: FW: Request to deny case Z-165-06 PHO-1-19 as filed

From: Margaret Anderson <mhanderson007@gmail.com>
Sent: Monday, May 4, 2020 3:05 PM
To: Council District 1 PCC <council.district.1@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Council District 5 PCC <council.district.5@phoenix.gov>; Council District 6 PCC <District6@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Racelle Escolar <racelle.escolar@phoenix.gov>; Sofia Mastikhina <sofia.mastikhina@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>
Subject: Request to deny case Z-165-06 PHO-1-19 as filed

To: Planning Commission Members
Cc: Mayor Gallego, Councilmembers, Planning Management and Staff

Planning Commission Members,
I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulation:
    - **Deletion of original Stipulation 19 (zoning reversion):** This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.
    - **Stipulation 1:** The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion.
    - **Stipulation 10:** The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35th Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion.
    - **Stipulation 35:** The terraced berms should remain. They reduce the apparent height of the exposed escarpment and can be further stabilized and treated with compatible colors. These terraces also provide safety drop zones to intercept any debris that could fall from the upper slopes. The original terraced stipulation should remain intact as you act on the zoning reversion.
2. **Stipulations 43 and 44:** I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.
3. I am supportive of PHO's recommendations for the remaining stipulations **not** noted above

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Vanessa Anderson
2010 W Olney Ave.
Phoenix, AZ 85041

Vanessa Anderson

Racelle Escolar

Subject: FW: All Laveen Residents Request You Deny Case Z-165-06 (PHO-1-19)

From: Bret Burchard <bretburchard3@yahoo.com>
Sent: Tuesday, May 5, 2020 3:43 PM
To: Council District 1 PCC <council.district.1@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Council District 5 PCC <council.district.5@phoenix.gov>; Council District 6 PCC <District6@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Racelle Escolar <racelle.escolar@phoenix.gov>; Sofia Mastikhina <sofia.mastikhina@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; laveenpvc@phoenix.gov
Subject: All Laveen Residents Request You Deny Case Z-165-06 (PHO-1-19)

Planning Commission Members,

I, along with my Laveen neighbors request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date, the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

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2). Stipulation 43 and 44: I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.

3). I am supportive of PHO's recommendations for the remaining stipulations NOT noted above.

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from high density development that did not fit the area then, and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversions action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Sincerely,
Bret Burchard
11244 S. 35th Ave.
Laveen, AZ 85339

Racelle Escolar

Subject: FW: Deny Case Z-165-06 (PHO-1-19) as filed

From: Irma Cazarez <irmacazarez@gmail.com>
Sent: Tuesday, May 5, 2020 3:26 PM
To: Racelle Escolar <racelle.escolar@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>
Cc: Council District 1 PCC <council.district.1@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Council District 5 PCC <council.district.5@phoenix.gov>; Council District 6 PCC <District6@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Subject: Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulation:

• Deletion of original Stipulation 19 (zoning reversion): This zoning reversion stipulation should not be deleted. Instead, it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.

• Stipulation 1: The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion.

• Stipulation 10: The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35th Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion.

• Stipulation 35: The terraced berms should remain. They reduce the apparent height of the exposed escarpment and can be further stabilized and treated with compatible colors. These terraces also provide safety drop zones to intercept any debris that could fall from the upper slopes. The original terraced stipulation should remain intact as you act on the zoning reversion.

2. Stipulations 43 and 44: I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.

3. I am supportive of PHO's recommendations for the remaining stipulations not noted above

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Thank you,

Irma Cazarez

3517 W Shawnee Drive, Laveen, AZ 85339

Racelle Escolar

From: Judy Brown <DT_Jbrown@q.com>
Sent: Tuesday, May 5, 2020 2:28 PM
To: Racelle Escolar; Sofia Mastikhina; Alan Stephenson; Joshua Bednarek; Samantha Keating; PDD Laveen VPC
Cc: Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego
Subject: Case Z-165-06 (PHO-1-19)

Importance: High

Greetings all:

I please request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance.

This case should have been a done deal in 2011, with a reversion back to S-1. I have heard all of the stories why the City hasn't done reversions. Since 2011, twelve times the reversion process has been brought up in LVPC Minutes. At least one time this case number was mentioned in the minutes prior to the current owner purchasing the property. The stories vary in how the City of Phoenix refuses to do their job. It is a little hard to grasp a $26,000,000 surplus in last year's budget and yet, no additional staff can be found to correct the wrongs on old zoning cases still sitting out there.

I'm not opposed to development. There is a time and place for everything. Honesty, integrity and fair business dealings are core values I was brought up on. I personally don't have the resources to fight the legalese or City for compliance with the law. As I see it, he with the most money or threats wins. That is just not right.

I have been involved in this case since day one when the original owner bought a piece of property for way too much money. With the help of Councilman Lingner and a prestigious law firm, the owner proceeded to cram a concept down the throats of residents in our community to make a buck. He was in way over his head on expenses and by trumping up the condition of the property and the costs associated with making it buildable; the foundation was formed for the argument that higher density was warranted. The original owner spent over 5 million for the red herring and the community knew he was going to flip.

We went through that process in 2007. A deal was brokered with Mayor Gordan to protect the community if building did not occur within 48 months. That is the stipulation #19 – Reversion of the zoning back to S-1. This way the new owner would have a clean slate to work with the neighborhood. Stipulation #19, #10, #35, #43, #44 at the very least should be kept in the PHO's recent ruling.

The new owner is not a developer and bought the property cheap, $18, 333 per acre or $ .42 psf. That is a total of $366,660 for the twenty acres in this discussion. The Rose Law Group tried the story of blight, dangerous ordinance, threating Prop. 207, and submitting an off the shelf inferior flatland building envelop community that just doesn't fit with the surroundings. It is aesthetically unappealing and is not the right fit for our community, the proposed planned unit community, or the original General Plan.

I am a minority, not papered with degrees or pedigree. I am a simple resident of this community that I love. We are a diverse community with different socioeconomic backgrounds, ethnicities, and orientations. What makes this area of Laveen special are the people that live here. We respect each other and our surroundings. We respect the wildlife, open

spaces, and equestrian lifestyle. Twenty years ago I uprooted from Tempe to live under the crown jewel of South Mountain. What is being proposed on the above mentioned property is a disservice to current and future residents with regards to density.

Trust me, I'm no Karen, this is just wrong. We need to work together to do the right thing for the community. Please deny Case Z-165-06 (PHO-1-19) as filed on May 7, 2020 and execute the zoning reversion.

Kind regards,

Judy Brown
602.363.1312
3220 W. Ceton Drive
Laveen, AZ 85339

Racelle Escolar

Subject: FW: Laveen Residents Request You Deny Case Z-165-06 (PHO-1-19)

From: Tayler Bell <taylerbell691@yahoo.com>
Sent: Tuesday, May 5, 2020 3:25 PM
To: Council District 1 PCC <council.district.1@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Council District 5 PCC <council.district.5@phoenix.gov>; Council District 6 PCC <District6@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Racelle Escolar <racelle.escolar@phoenix.gov>; Sofia Mastikhina <sofia.mastikhina@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Bret Burchard <bretburchard3@yahoo.com>
Subject: Laveen Residents Request You Deny Case Z-165-06 (PHO-1-19)

Planning Commission Members,
I, along with my Laveen neighbors request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date, the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

1). I am adamantly opposed to these four stipulations:

- **Deletion of original Stipulation 19 (zoning reversion):** This zoning reversion stipulation should not be deleted. Instead, it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.
- **Stipulation 1:** The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion.
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2). Stipulation 43 and 44: I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.

3). I am supportive of PHO's recommendations for the remaining stipulations NOT noted above.

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from high density development that did not fit the area then, and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversions action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Sincerely,
Tayler Burchard
11244 S. 35th Ave.
Laveen, AZ 85339

Dear Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7, 2020. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City of Phoenix has taken no action which is in violation of city zoning ordinance, a profoundly serious matter.

Regarding the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulations:
    - Deletion of original Stipulation 19 (zoning reversion): This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.

    - Stipulation 1: The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours provide smoother connection to the R1-18 portion to the west and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion.

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Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Sincerely,

Terry Klein
4012 W. Carver Rd
Laveen, AZ 85339

Racelle Escolar

From: Bret Burchard <bretburchard3@yahoo.com>
Sent: Friday, May 8, 2020 10:12 AM
To: Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Racelle Escolar; Sofia Mastikhina; Alan Stephenson; Joshua Bednarek; Samantha Keating; PDD Laveen VPC
Subject: Follow Up to Council Meeting - May 7

Mr. Chair and Members,

My name is Bret Burchard and I live at 11244 S 35th Ave in Laveen. I attended - virtually - last night's meeting, specifically as it related to the development project on Carver mountain. First, I want to thank you for enduring the pains of hosting a meeting virtually. I know it wasn't easy for you, but under the circumstances I was able to attend while sitting on the swing on my front porch, which has an unobstructed, picturesque view of the Phoenix skyline. While you all were diligently hearing all sides of every argument, I was watching the Super Moon rise over South Mountain. Not to rub it in :-)

A year and a half ago my wife and I overpaid for a modified trailer as our first home because it had a 900-square-foot front patio with panoramic views and no one encroaching on either side. The first thing any visitor does when arriving at our house is pull out their camera to take pictures.

Part of our view looks directly at the east side of Carver Mountain, the highest density portion of the development in question. Like Mrs. Irma Cazarez mentioned in her comments during the meeting, this is a uniquely quiet area of Laveen Village, where neighbors take care of each other. During the meeting our dog was standing guard, chasing coyotes out of the front yard. As I tried to fall asleep last night I couldn't get out of my head the idea of 92 houses crammed at the bottom of our hill. There aren't 92 houses within the eight walking blocks of our neighborhood! The current pandemic situation has substantially increased the amount of traffic up our dead end road since we moved in, already making it more dangerous for Irma's kids to skateboard, the Schroeder's kids to ride their scooters, Katherine's grandkids to learn to ride a bike, Mackenzie to walk her five dogs, and G dog's casual patrol of the nighttime wildlife. What will 92 more homes, three blocks away add on top of that?

I specifically want to commend Commissioner Busching for taking the time to drive out here and see the area for herself. It is certainly unique. Even since we moved in 18 months ago there have been improvements made in the surrounding area with the extension of the 202, the Sprouts and adjacent shops, and high-density development projects. We are excited about all of it improving the quality of our life here. Commissioner Busching's point of view is correct though. This is just not the place for one of those developments. Come see for yourself.

I understand you sent the case back to the developer and the Laveen community for further discussion and compromise. I would like to caution you in your judgement process, however. There was a comment made in conjunction with the motion that suggested favor would be shown to the side that concedes the most in the next iteration of the proposal. Logically, that doesn't make sense. Hypothetically, if we concede to all of the developer's stipulations, does that mean you will support our opposition in the next meeting? Let me be clear, I am not speaking on behalf of the entire Laveen community. I just went to bed puzzled by this logic.

Secondly, and finally, I don't believe one of the Commissioner's questions was adequately addressed. He can correct me if I'm wrong, but I believe he was asking if there was actually a 48-month trigger on a previous compromise that wasn't honored. I believe it was Ms. Manning who made the Commission aware of this clause that should have automatically reverted the property back to previous zoning if it wasn't developed within 48 months of the agreement - which it wasn't. I hope the Commission can clear up this misunderstanding amongst the members. It seems to me as the two parties work toward more compromises, the Commission needs to also review the documents and its scope of authority to help facilitate the correct course of action. There seemed to be a lot of confusion on what you were and were not able to enforce, or even what you were exactly voting on, and I don't believe the video conferencing setup assisted in clarity.

I understand you are in a very difficult position. This is a tough case to decide. The difficulty of this should spur us on to more diligent study. My suggestion to you is come take a drive down 35th Ave. Feel free to stop by our porch (it's the one with the red roof) and take a look. G dog doesn't bite and you can see the whole neighborhood from where we sit. And ask yourself, "Does it make sense? Does it fit?"

Oh yeah, and don't forget to bring your camera.

Respectfully,

Bret Burchard

Racelle Escolar

From: Cyd Manning <SweetBeat@q.com>
Sent: Monday, May 11, 2020 7:43 PM
To: Racelle Escolar
Cc: Alan Stephenson; Adriana Garcia Maximiliano
Subject: Planning Commission Meeting May 7, 2020 and Z-165-06 (PHO-1-19) Item 10

Importance: High

Hi Racelle,
Please provide this letter to the Planning Commission members and Staff, as well as include it in the case file. Thank you very much.

Best regards,
Cyd

***

Planning Commission Members and Staff,
I am writing to you today regarding the subject case heard during the May 7 Planning Commission meeting, specifically to provide feedback on the new virtual process, address a few issues and correct a factual error made by the applicant's representative. I respectfully request this correspondence be added to the official case file.

Regarding feedback on the new virtual meeting process, I would like to first thank Racelle Escolar and Vikki Cipolla-Murillo for their excellent work coordinating all the participation and presentation details for public input. They thoroughly and patiently answered questions, tested the system and ensured those without technology who wanted to speak were able to do so. I would also like to thank Chairman Johnson for a job well done facilitating the session. The meeting wasn't without challenges, but ran pretty smoothly for the first virtual Planning Commission meeting.

Commissioner Gaynor expressed dissatisfaction with submission of written comments into the chat window of the WebEx meeting. I want to be clear that I intended no disrespect to the Commission or disruption to the process and I apologize if that action offended anyone. I absolutely respect the public hearing process and rules of order. I believe that a factual error is an appropriate reason to raise a hand in order to be called upon. Thus, I utilized the raise hand feature to correct a factual error made by Mr. Galvin and waited several minutes to be called upon. After waiting, I submitted the written request and ultimately provided the correction so it would become part of the record. Please reference the below screen capture. I have firsthand knowledge that the applicant did not agree to a request by Councilmember Garcia to meet with the neighbors regarding this case.

There are two issues of great concern that occurred during the meeting:

1. With all due respect, the Commission's request of the applicant's representative, Mr. Galvin, to provide an answer regarding the Commission's authority on zoning reversions may have the appearance of bias.
    - Staff clearly advised the Commission and stated that zoning reversion would be a separate action to initiate a case to be heard as an upcoming agenda item due to posting requirements. Staff also advised that the commission has the power to initiate a reversion if they want to do it.
    - The community request has been and still is clearly consistent with what Staff advised. Again that request has been and is to deny this current case as filed. Then, immediately initiate and ultimately approve a zoning reversion case back to S-1 along with a companion action to revise the General Plan back to 0-1 which aligns with the S-1 zoning.
    - Clearly the Commission discussion, before this question was posed to Mr. Galvin, displayed understanding and agreement of the process to initiate a case for action on a reversion.

- Mr. Galvin's opinion on reversion clouded the discussion and the community was denied equal opportunity to address the question after respectfully submitting a raised hand, waiting with no recognition and then submitting the request in writing. Please reference the below screen capture.
- Had the community been able to respond, I would have re-stated Staff's explanation and referenced the applicable City zoning ordinance (Chapter 5, Section 506, B.1 through B.3) as well as ARS Article 6.1 Municipal Zoning, 9-462.
- Even though the community was not afforded equal opportunity to answer the Commission's question, authorized City personnel are the appropriate entities who should be providing answers to the process and Commission's powers.

2. The lack of adequately addressing Commissioner McCabe's question regarding the time stipulation expiration as a clause previously adopted by Ordinance clouded the discussion.
   - Unfortunately Staff did not directly or clearly provide the actual language of Ordinance G-5020, Stipulation 19 which states: "*That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.*".
   - This Ordinance condition of zoning approval expired in October of 2011. A required entitlement expiration should be enforced.
   - Staff did advise the Commission of the process to initiate a zoning reversion case, which is exactly what the community has asked for many times since 2011, up to and including in this May 7 meeting.

I respectfully request Ordinance G-5020, which was adopted by the City Council on October 10, 2007, and the minutes from that meeting be provided to and reviewed by all Commissioners. In addition, I respectfully request review of GPA-LV-1-08-7 – Resolution 20714. This case resulted from neighborhood requests of the City to act on their policy of creating consistency between the General Plan and zoning classification. There is a letter in this case file from the Planning Director at that time that states the action was taken to " *create consistency between the Land Use Map and the approved R1-8 zoning and to avoid creating a precedent for higher densities on the surrounding parcels*.". This neighborhood requested City action was to ensure that an applicant wasn't going to try and increase the R1-8 zoning **before** it could be reverted in 2011.

Your review of the above records will provide valuable context. If you also review the overwhelming number of letters in opposition to this case, you will see there are many of us from 2007 that are still residents today. Again, we welcome development and want and expect it to be consistent land use with the existing neighborhoods.

I sincerely appreciate Commissioner Busching's action of getting a first-hand look at the area to truly understand the unique community, large lots and spacing that we want to preserve. The type of low density in this specific area of Laveen has been carefully planned that way for well over two decades. Furthermore, low density zoning is appropriate land use in this area and low density zoning classifications are very underrepresented in Laveen. The video of our area is only 42 seconds long and can be played directly from this Dropbox link: https://www.dropbox.com/s/0tfmz2e6htiasqd/Laveen.mp4?dl=0 [dropbox.com]

I would welcome and respectfully request a conversation or meeting with each individual member of the Commission. I was significantly involved in the original case and would be happy to answer any questions. In addition, I'd be pleased to host a tour of the area for anyone who would like to do so.

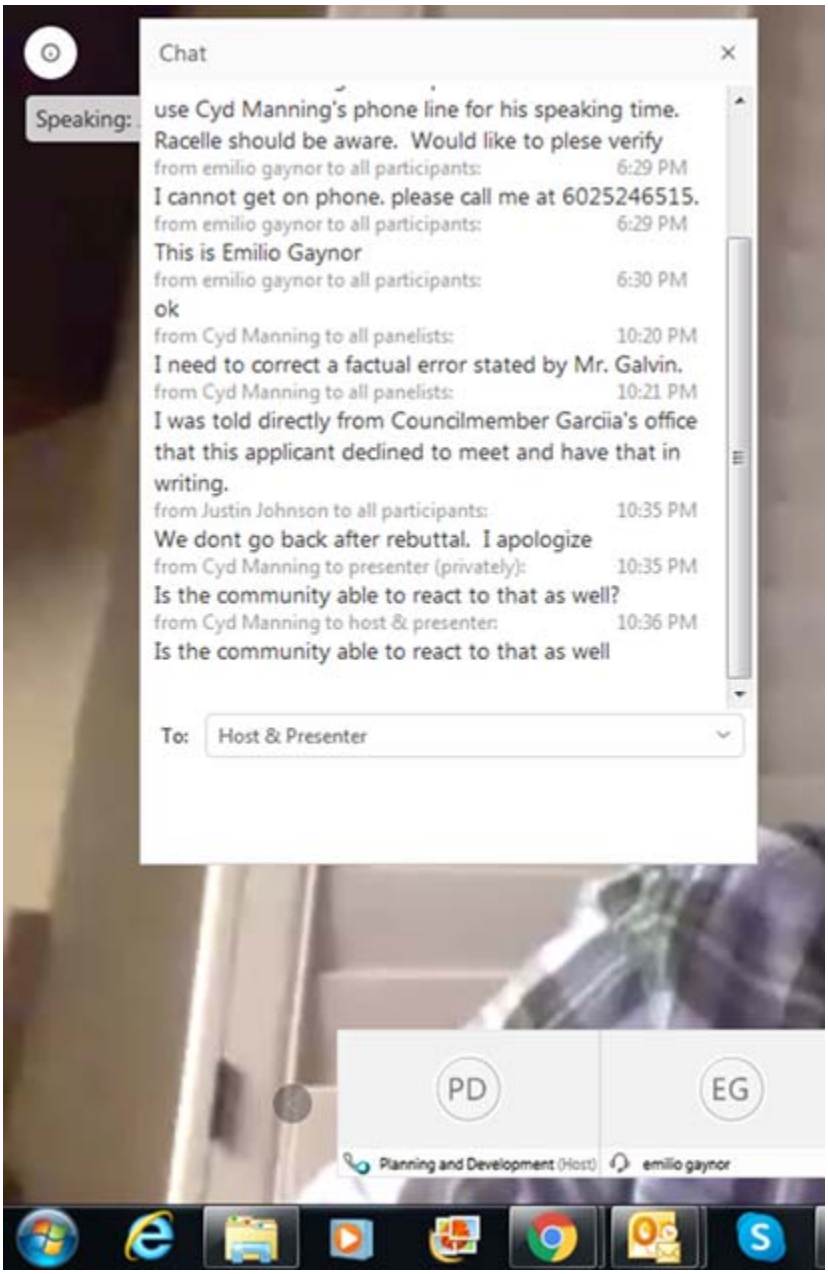
I understand this is a difficult case for everyone involved. It truly is very unfortunate that enforcement of this reversion entitlement was overlooked or missed over the last 9+ years, even though the community requested it be done. The fact of the matter is it is still valid today and the City has a duty and obligation to enforce it.

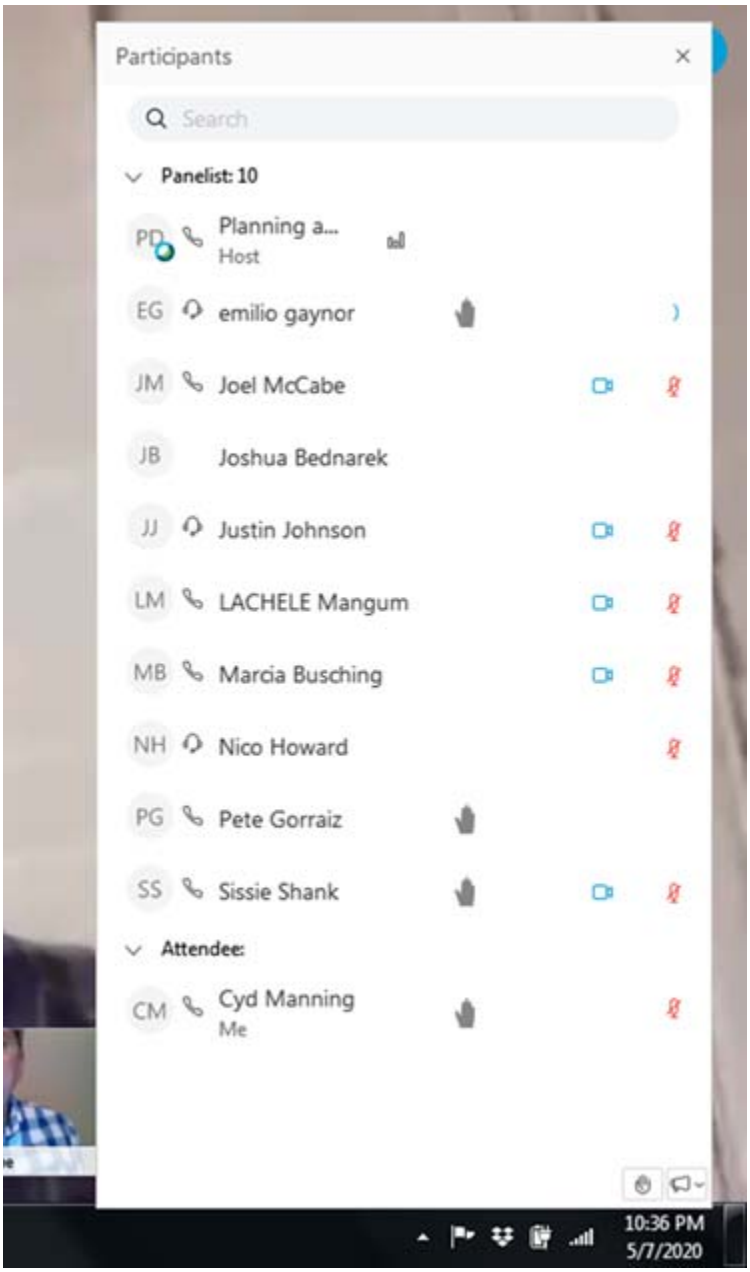
I sincerely appreciate your time and careful review and consideration of all information.

Respectfully,
Cyd Manning

3220 W. Ceton Drive
480.747.0769
sweetbeat@q.com

Attached screen capture as referenced above:


Chat
Speaking:
use Cyd Manning's phone line for his speaking time. Racelle should be aware. Would like to plese verify
from emilio gaynor to all participants: 6:29 PM
I cannot get on phone. please call me at 6025246515.
from emilio gaynor to all participants: 6:29 PM
This is Emilio Gaynor
from emilio gaynor to all participants: 6:30 PM
ok
from Cyd Manning to all panelists: 10:20 PM
I need to correct a factual error stated by Mr. Galvin.
from Cyd Manning to all panelists: 10:21 PM
I was told directly from Councilmember Garciia's office that this applicant declined to meet and have that in writing.
from Justin Johnson to all participants: 10:35 PM
We dont go back after rebuttal. I apologize
from Cyd Manning to presenter (privately): 10:35 PM
Is the community able to react to that as well?
from Cyd Manning to host & presenter: 10:36 PM
Is the community able to react to that as well
To: Host & Presenter
PD
EG
Planning and Development (Host)
emilio gaynor


Participants
Search
Panelist: 10
PD Planning a... Host
EG emilio gaynor
JM Joel McCabe
JB Joshua Bednarek
JJ Justin Johnson
LM LACHELE Mangum
MB Marcia Busching
NH Nico Howard
PG Pete Gorraiz
SS Sissie Shank
Attendee:
CM Cyd Manning Me
10:36 PM
5/7/2020

May 20, 2020

To: Phoenix Planning Commission

Subject: Meeting held 6PM, May 7, 2020 re: Z-165-05-(PHO-1-19)

Thank you for providing me the opportunity on during the May 7, 2020 Planning Commission meeting to speak for 60 seconds regarding the subject case.

First, I would like to remind the Planning Commission of its role….and I quote from your Charter below and would draw your attention to the ***bolded*** print:

The Planning Commission makes recommendations to the City Council on *all matters that might be referred to it by the City Council concerning or relating to a comprehensive plan of City building and improvement and recommends to the City Council, from time to time, amendments to the City Charter, ordinances providing for the purchase of sites for City buildings; opening, widening or other changes in streets and other public ways, and the ornamentation of such sites, streets, grounds and other public places; and such other* ***ordinances as it may deem necessary and proper in the premises and that may tend in connection with such comprehensive plan to promote the public health, comfort, safety, convenience, utility and welfare.*** *The Planning Commission is also authorized to confer and advise with other similar City planning commissions or county planning commissions.*

It became very obvious that during the subject meeting that several members were uncomfortable with the issue at stake here, the S1 Zoning Reversion specifically called out in Stipulation #19 which states, and I quote:

That ***approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance****. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.*

Near the end of meeting the question to Staff was asked “has any action be taken to revert this case” and the answer was “no”. Herein lies the problem, no action has been taken by the City of Phoenix because of Senior Leadership (specifically Alan Stephenson and his Deputy Joshua Bednarek) have unwisely, unethically and likely illegally chosen not to enforce Reversion which is a current documented process required in Zoning Ordinance Section 506, paragraph B 1 for this case.

Before seeking legal action on behalf of the Community I am providing EVERY opportunity for the City of Phoenix to help remedy the lack of Senior Leadership Personal Accountability for enforcement of the previously referenced Reversion Policy. Due to the current Covid-19 situation a face to face meeting is unpractical so I have contacted via e-mail and telecon Leigh Ann Mauger, Sr. Internal Auditor, City of Phoenix - Audit Department and she has initiated a case to investigate whether the allegations that I have made regarding the City’s refusal to follow documented Policies and Procedures (specifically Section 506 paragraph B1) have merit or basis. I provided a copy of the meeting minutes that I had with Joshua Bednarek as the basis for my claims. I am also providing you with a copy of this document for your review.

And as a side note, it was unethical of this Committee to solicit input from only one Party regarding your discussion of the merits of the case if the Commission elected to deny this case.

In addition, Mr. Gavin incorrectly provided the Commission with inaccurate and deceiving information regarding Prop 207…..the Current Landowner was REQUIRED to sign a waiver giving up ALL rights to Prop 207 when they purchased the property so they have no future claims against Prop 207 if the property reverts to S1 or any other zoning. When the Landowner had Mr. Gavin's Law Firm perform their due diligence prior to purchasing this property, they would have discovered this.

While I respect the decision that you made in an effort to have the Developer and Community "work together" for an equitable solution I will implore the Commission one last time….when it is time to forward this case to the City Counsel, take the ethical and morally correct action, tell the City Council the simple facts regarding this case and recommend the following:

1. This case should have never have been brought forward…..why? Because the City of Phoenix has chosen not to follow its own Policies and procedures specifically for Reversion because if it did, back in 2011 (48 months after the initial zoning approval) this case should have been up for reversion and it was never initiated. Remember, Reversion is another Public Process and it is not a guaranteed reversion in this case back to S1, the "Reversion Process" is a series of Public hearings to rezone the land back but it might not be accepted (likelihood is low)!
2. Based on item 1 above do no recommend approval, deny this case.
3. Create a recommendation that the City of Phoenix follow its internal processes and procedures and initiate Reversion Action in this case.

I look forward to seeing what this Commission determines the correct course of action is for this specific case because as the Leaders of this Commission you are held to a higher standard than rank and file employees….you are accountable for what you know and more importantly what you should have known….and now that you are personally aware of the alleged claims of the City of Phoenix not following its processes and procedures (and I would ask that you personally verify this on your own, do not take my word for it) I sincerely hope that this Commission takes the correct steps by deciding not to be complicit with the City of Phoenix knowing full well that this case should have never existed!

Thank you for your time.

Sincerely,

John M. Bzdel
253-549-6826
bzdel@earthlink.net

Meeting Minutes with Joshua Bednarek re: Z-165-05-(PHO-1-19)

1-23/2020, 9AM at Mr. Bednarek's office

Answers to my questions:

- Why was there no action taken in 2011 to "revert" the properties back to S1?
    - Since the early 2010's, the City of Phoenix has reduced the number of available Staff Personal in the Planning/Zoning Department that would handle this type of activity from 11 people to 5. With the staff shortage the focus and priorities of the Department changed to reflect available staffing.
    - There isn't a mechanism to automatically do this.
- I asked "is Zoning Ordinance Section 506, paragraph B 1." Is still a valid and current procedure?
    - Joshua stated the City of Phoenix no longer looks at the reversion process as a necessary process because they City believes that the original "intent" to rezone is still valid and affords the current property owner(s) the opportunity to further develop the property based on the City Council's intended use.
        - I then asked Joshua to read the above paragraph aloud where I underlined …"an application shall be initiated by the Planning Commission to revert zoning to its former classification, unless an extension of time has been granted prior to the expiration of the period specified by the schedule of the development". He was familiar with this language.
            - I asked Joshua to make sure that I fully understood his previous comments based on this procedural language and asked him that even though it is a requirement in the documented City's Procedures to perform the reversion, that ***the City has knowingly chosen not to follow the procedure?***
                - Joshua waffled a bit and reiterated staffing shortages again and that the City's philosophy is a bit different today based on his above comment that they want to afford Property owners full development rights via Prop 207. I verified with Joshua that a waiver does exist on this subject property signed by the current Property Owner that waives Prop 207 and he then agreed that the property owner had no rights based on Prop 207.
        - I asked Joshua what he believes that the Liability may be if the City specifically chooses not to follow or enforce their written processes and procedures? He stated that he wasn't a Lawyer or from the Law Department so he could fully

answer that question. He went on to state that in this situation, where there are stipulations attached to Properties, that it is no different than someone who violates a weed ordinance or stipulation….the City doesn't have the resources to address it.

- I shared City of Phoenix memo dated October 12, 2010 from Derek D. Horn to Planning Commission Members and asked if this process that was outlined is still current?
    - Joshua stated that the City does not have the resources to undertake the process and as stated previously, the focus on reversion and the philosophy behind it is different today.
        - I asked if I was to review the Metric's Deck reviewed by Alan at his Staff Meetings would I see any of the Department metrics include reversion?
            - Joshua stated no that no metrics would be available today for the reversion process because it is not tracked, monitored or reviewed.
- I shared that the Community was concerned that the due to the City's focus on not following it's documented process and procedure that this indicates a bias and it does not afford ALL stakeholders the opportunity to voice concerns regarding City processes that "should have been followed" and are not.
    - Joshua didn't fully understand this because he believes Zoning/Planning processes via the PHO as in this case are available to hear Community input. I reiterated that the PHO process is clearly for addressing stipulations ONLY and NOT a rezoning discussion and that Adam Stranier (the PHO in this case) made this VERY clear. Joshua went on to say that even if the City followed a reversion process, as in this case, that it still has to go through the Public Posting processes and that "automatic" reversion isn't a guarantee because the current property owner has an input as well as the Community and the City Council.
    - I then counter this response and asked a "hypothetical" question…"in this case, if the City of Phoenix denied Z-165-05-(PHO-1-19) and noted that the City would prefer to use the Reversion Process to address the Property Owners concerns as well as those of the Community and City Council, aren't ALL stakeholders better served since the potential outcome has the benefit of ALL stakeholders' inputs and the City would ALSO be compliant with it's documented processes and procedures"? I also added that the current property owner could also create/add/delete/propose whatever they want because the flood gate is open…a clear benefit for them as well.
        - Joshua had to think about this for a moment before responding and indicated that this could be a viable path. Based on his comment I asked him if he was ready to commit for the City that he would do this in this specific case and he quickly responded that he could not influence the opinion/outcome of the PHO officer in this case.
            - I then asked if he should run this past Legal as an opportunity to be compliant with documented processes and procedures in the event that

this case gets legally challenged and he responded that he didn't think so.

- Joshua stated that even if the PHO ruled in favor of the subject case that any stakeholder has 7 days to appeal the decision to the City Council and could propose the "hypothetical" question to the City Council that I did to Joshua.

- I asked if I could suggest this "hypothetical" path to the PHO in this case?
  - Joshua stated that he could only take comments that were made public at the hearing and not after the fact.
    - I countered with "Adam stated that he needed to take this under advisement and review all relevant facts and data…..isn't the potential path I proposed one of them?
      - Joshua countered with he (the PHO) could come to that same conclusion.

Unfortunately we ran out of time and our meeting concluded.

John Bzdel

253-549-6826

Racelle Escolar

From: D M <darcy3535@gmail.com>
Sent: Saturday, June 6, 2020 7:12 PM
To: PDD Laveen VPC; Racelle Escolar; Joshua Bednarek; Alan Stephenson
Subject: To Council Members re: Quarry Case Decision 165 - 06

Follow Up Flag: Follow up
Due By: Tuesday, June 9, 2020 4:00 PM
Flag Status: Completed

Good afternoon,
I was present online at the planning meeting on Thurs June 4 and wanted to tell you what a disappointment the commission's decision was to approve the Quarry Case Z-165-06.
After all the patting on the back you did of yourselves and appreciating all of us for our passion, your decision was still wrong.
If any of you lived on the south side of the Quarry you would be fighting to oppose the type of density that was approved.
I'm actually surprised with the amount of opposition that this had, not more of your members came around to see our area. It really goes to show that if it doesn't affect you personally, then the party with the most money wins.
And, because there has been no past case in prior zoning reversions, it doesn't mean that the committee has a right to overlook and not enforce the intent.
I'm disheartened by your committee's decision but I'm thankful for great neighbors that will continue to appeal this for our community.

Darcy Meyer
3535 W Bohl St
Laveen, AZ 85339

ATTACHMENT H

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

ADDENDUM A
Staff Report: PHO-1-19--Z-165-06-7(8)
June 25, 2020

LOCATION: Northwest corner of 35th Avenue and Carver Road

APPLICANT: Jennifer Hall, Rose Law Group

REPRESENTATIVE: Tom Galvin, Rose Law Group

OWNER: Virtua 35th, LLC

REQUEST:

1) Modification of Stipulation 1 regarding general conformance to the site plan date stamped October 8, 2007 and elevations date stamped February 20, 2007.

2) Modification of Stipulation 7 regarding the landscape setback adjacent to 35th Avenue.

3) Deletion of Stipulation 19 regarding conditional development approval.

4) Modification of Stipulation 27 regarding height of terraced berms along the quarry cut slope base.

5) Modification of Stipulation 31 regarding raised, vertical curbs within the R1-18 portion of the site.

6) Modification of Stipulation 37 regarding detached sidewalks and landscape strips within the R1-8 portion of the site.

7) Deletion of Stipulation 39 regarding one-story homes along 35th Avenue.

8) Technical corrections to Stipulations 4, 5, 6, 8, 9, 15, 18, 20, 21, 22, 23, 24, 25, 26, 28, 29, 30, 33, 34, 36, 38, 40.

9) Modification of original Stipulation 3 (proposed Stipulation 5) regarding maximum number of lots in the R1-8 portion of the site.

STAFF RECOMMENDATION: Approval, per the Planning Commission recommendation with a modification.

On January 13, 2020, the Laveen Village Planning Committee recommended denial of the request by an 11 to 0 vote. Their motion also included a request that the Planning Hearing Officer (PHO) recommend to the Planning Commission to initiate a zoning reversion for the site.

On January 15, 2020, the PHO took this case under advisement. On February 13, 2020, the PHO took this case out from under advisement and recommended denial as filed and approval with modifications and additional stipulations.

On May 7, 2020, the Planning Commission continued the request to the June 4, 2020 Planning Commission hearing by an 8 to 0 vote. The continuance was granted to allow the applicant to work on a compromise with the community.

The applicant met with community members and revised their plan from 92 lots as shown on the site plan date stamped November 21, 2019 to 63 lots as shown on the site plan date stamped May 26, 2020. The changes on the revised site plan required modifications to the stipulations recommended by the PHO.

A staff memo was issued prior to the Planning Commission hearing that addressed the revised site plan and recommended modifications to Stipulation No. 1 regarding general conformance to a site plan and Stipulation No. 47 regarding specific lots to be limited to a maximum of 20 feet in height. The modification to Stipulation No. 1 requires that the R1-8 portion of the development be in general conformance with the revised site plan date stamped May 26, 2020. The modification to Stipulation No. 47 updates the specific lot numbers that are to be limited to 20 feet in height.

On June 7, 2020, the Planning Commission recommended approval, per the staff memo dated June 4, 2020 with a modified stipulation by an 8 to 0 vote. Commissioner Busching, who made the motion, also directed the applicant to modify the application prior to the City Council meeting to modify Stipulation No. 5 (originally Stipulation No. 3) to reflect the number of lots on the revised site plan. Her motion included a modification to Stipulation No. 6 to reduce the useable open space from 12 percent (which was recommended by the PHO) to 8 percent to reflect the open space provided on the revised site plan.

The applicant has revised their application to modify Stipulation No. 5 (originally No. 3) as directed by the Planning Commission. The stipulation currently limits the number of units on the R1-8 portion of the site to 99 lots. The applicant is now requesting to modify the stipulation to limit the number of lots to 63 to be consistent with their revised site plan.

Staff is supportive of this modification and recommends approval of the PHO request per the Planning Commission recommendation with the modification as requested by the applicant. The stipulations below reflect the revised staff recommendation.

STIPULATIONS

General

~~1. That development shall be in general conformance with the site plan date stamped October 8, 2007, and elevations date stamped February 20, 2007, as modified by the following stipulations, and as approved by the Development Services Department.~~

1. THE R1-8 DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED ~~NOVEMBER 21, 2019~~ MAY 26, 2020, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT, AND WITH SPECIFIC REGARD TO THE FOLLOWING:

   A. THE DEVELOPER SHALL PROVIDE A PRIMARY ROADWAY FROM 35TH AVENUE EXTENDED TO THE WESTERN PROPERTY BOUNDARY, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

   B. THE PRIMARY ROADWAY CONNECTING 35TH AVENUE TO THE WESTERN EDGE OF THE PROPERTY LINE SHALL TERMINATE AS A STUB STREET TO THE ADJACENT UNDEVELOPED LAND TO THE WEST TO PROVIDE FOR A FUTURE VEHICULAR CONNECTION.

2. CONCEPTUAL ELEVATIONS FOR THE R1-8 DEVELOPMENT SHALL BE REVIEWED AND APPROVED BY THE PLANNING HEARING OFFICER THROUGH THE PUBLIC HEARING PROCESS FOR STIPULATION MODIFICATION PRIOR TO PRELIMINARY SITE PLAN APPROVAL. THIS IS A LEGISLATIVE REVIEW FOR CONCEPTUAL PURPOSES ONLY. SPECIFIC DEVELOPMENT STANDARDS AND REQUIREMENTS MAY BE DETERMINED BY THE PLANNING HEARING OFFICER AND THE PLANNING AND DEVELOPMENT DEPARTMENT.

3. THE R1-18 DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED OCTOBER 8, 2007, AND ELEVATIONS DATE STAMPED FEBRUARY 20, 2007, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

~~2.~~ 4. ~~That d~~Development of the R1-18 portion of the site shall not exceed 22 lots.

~~3.~~ 5. ~~That d~~Development of the R1-8 portion of the site shall not exceed a density of ~~**99**~~ **63** lots.

6. THE R1-8 DEVELOPMENT SHALL PROVIDE A MINIMUM OF 26% OPEN SPACE, OF WHICH A MINIMUM OF ~~12~~ 8% SHALL BE USABLE OPEN SPACE, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

Site Design

~~4.~~ 7. ~~That u~~Unobstructed pedestrian access (for the purpose of private pedestrian connectivity internal to the site) between the R1-18 and R1-8 portions of the site shall be provided, as approved by the PLANNING AND Development ~~Services~~ Department.

~~5.~~ 8. ~~That n~~No solid wall in excess of three feet in height as measured from the finished grade, shall be located on the site (either in private lots or common tracts) except that solid walls greater than three feet in height shall be allowed for the following purposes, as approved by the PLANNING AND Development ~~Services~~ Department.

a. Walls utilized to screen utilities, trash enclosures, or other facilities generally considered to be visually obtrusive.

b. Retaining wall.

~~6.~~ 9. ~~That n~~No more than 60,000 square feet of natural turf area shall be located within the common areas of the R1-8 portion of the site (this requirement does not apply to synthetic turf); if provided, common area natural turf should be centrally located and grouped so as to create one contiguous natural turf recreation area, as approved by the PLANNING AND Development ~~Services~~ Department.

~~7.~~ 10. ~~That a 235-foot (average), 200-foot (minimum)~~ THE DEVELOPMENT SHALL PROVIDE A MINIMUM 100 FOOT landscaped setback ALONG THE EAST PROPERTY LINE ~~adjacent to 35th Avenue shall be provided~~, as approved by the PLANNING AND Development ~~Services~~ Department.

~~8.~~ 11. ~~That a~~ A 50-foot (minimum) landscaped setback adjacent to Carver Road (final alignment) shall be provided, as approved by the PLANNING AND Development ~~Services~~ Department.

~~9.~~ 12. ~~That t~~Those portions of spider and jeep trails which are not part of the approved grading envelopes, access drives, or other necessary site disturbance related to the proposed development of the R1-8 portion of the site shall be re-vegetated in a manner consistent with adjacent undisturbed vegetation, as approved by the PLANNING AND Development ~~Services~~ Department.

Disclosures

~~10.~~ ~~That p~~Prior to final site plan approval, the property owner shall record
13. documents that disclose to tenants of the site or purchasers of property within the site, the existence, proximity, and operational characteristics of active agricultural uses and non-domesticated animal keeping. 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.

14. THAT PRIOR TO FINAL SITE PLAN APPROVAL, THE PROPERTY OWNER SHALL RECORD DOCUMENTS THAT DISCLOSE TO TENANTS OF THE SITE OR PURCHASERS OF PROPERTY WITHIN THE SITE, THE EXISTENCE, PROXIMITY, AND OPERATIONAL CHARACTERISTICS OF ACTIVE AVIATION USES IN THE HANGAR HACIENDAS UNITS ONE, TWO, AND THREE SUBDIVISIONS LOCATED APPROXIMATELY 2,300 FEET TO THE EAST OF THE SUBJECT PROPERTY IN MARICOPA COUNTY. 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.

Parks and Recreation

~~11.~~ ~~That t~~The developer shall dedicate a multi-use trail easement and construct a
15. multi-use trail, per adopted standards, along the north side of Carver Road, as approved by the Parks and Recreation Department.

Archaeology

~~12.~~ ~~That t~~The applicant shall complete an archaeological survey report of the
16. development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, or grading.

17. 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.

18. 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.

19. 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.

Street Transportation

~~13.~~ 20. ~~That r~~Right-of-way totaling 55 feet shall be dedicated for the west half of 35th Avenue, as approved by the Street Transportation Department. 35th Avenue shall be constructed using rural streets standards similar to Dobbins Road, as approved by the Street Transportation Department.

~~14.~~ 21. ~~That r~~Right-of-way totaling 55 feet shall be dedicated for the west half of Carver Road, as approved by the Street Transportation Department. Carver Road shall be constructed using rural streets standards similar to Dobbins Road, as approved by the Street Transportation Department.

22. THE DEVELOPER SHALL DEDICATE RIGHT-OF-WAY FOR 35TH AVENUE AS DETERMINED BY THE MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION (MCDOT) AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

23. THE DEVELOPER SHALL DEDICATE RIGHT-OF-WAY FOR CARVER ROAD AS DETERMINED BY THE MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION (MCDOT) AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

~~15.~~ 24. ~~That a~~A traffic impact study shall be submitted to, and approved by, the Street Transportation Department prior to PLANNING AND Development ~~Services~~ Department preliminary site plan approval. That all right-of-way dedications and associated infrastructure improvements as recommended by the traffic impact study shall be installed by the developer, as approved by the PLANNING AND Development ~~Services~~ Department.

~~16.~~ 25. ~~That t~~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 modified by these stipulations, and as approved by the Street Transportation Department. All improvements shall comply with all AmericanS with Disabilities Act accessibility standards.

~~17.~~ 26. ~~That t~~The applicant shall complete and submit the Developer Project Information Form for the Maricopa Association of Governments Transportation

Improvement Program. This form is a requirement of the Environmental Protection Agency to meet clean air quality requirements.

~~18.~~ ~~That p~~Prior to preliminary site plan approval, the landowner shall execute a
27. Proposition 207 waiver of claims utilizing the provided template. The waiver shall be recorded with the Maricopa County Recorder's Office and a copy shall be provided to the PLANNING AND Development ~~Services~~ Department for the case files.

~~19. That approval shall be conditional upon the development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of the building walls on site.~~

Neighborhood

~~20.~~ ~~That b~~Building pad cuts shall be terraced if more than 6 feet in height and
28. treated with a stain, gunnite, or equivalent finish, as approved by the PLANNING AND Development ~~Services~~ Department.

~~21.~~ ~~That a~~All two story homes, within the R1-18 portion of the site, shall be
29. designed in a manner such that the square footage of the second story floor area does not exceed 66 percent of the first story floor area does not exceed 66 percent of the first story floor area, as approved by the PLANNING AND Development ~~Services~~ Department.

~~22.~~ ~~That c~~Concrete channels shall be designed to look natural in the desert setting
30. through color, texture, landscaping, or other means, as approved by the PLANNING AND Development ~~Services~~ Department.

~~23.~~ ~~That t~~The use of riprap and engineered culverts shall be minimized and, where
31. utilized, shall be integrated with the desert setting through color, texture, soil plating, landscaping, or other means, as approved by the PLANNING AND Development ~~Services~~ Department. To the extent possible, culverts shall be undersized to allow minor flows (10 cfs or smaller) to cross roadways in their natural condition.

~~24.~~ ~~That w~~Washes with a one-hundred-year peak flow of 200 cfs or greater shall
32. be preserved and enhanced with native vegetation as described in Appendix A, Approved Plant Species List for Sonoran Preserve Edge Treatment Guidelines, as approved by the PLANNING AND Development ~~Services~~ Department.

~~25.~~ ~~That l~~Lots with 2 or more sides abutting undisturbed open space shall be
33. designed with obtuse angles, rather than right angles or acute angles, as

approved by the PLANNING AND Development ~~Services~~ Department.

~~26.~~ 34. ~~That o~~On non-hillside lots within the R1-18 portion of the development, all improvements, including driveways, landscaping, and underground utilities shall be located within a building envelope occupying no more than 50 percent of the lot up to a maximum of 20,000 square feet, whichever is less, as approved by the PLANNING AND Development ~~Services~~ Department.

~~27.~~ 35. ~~That a~~ A minimum of three terraced berms with 2:1 fill slopes shall be installed along the full length of the quarry cut slope base. The terraces shall BE LIMITED TO A MAXIMUM HEIGHT OF ~~be~~ 8 feet ~~tall, minimum, a~~nd shall be PLANTED ~~plated~~ with a staggered combination of 2-inch and 4-inch caliper, drought resistant, deciduous trees at 25 feet ON center OR IN EQUIVALENT GROUPINGS ~~to center~~, as approved OR MODIFIED by the PLANNING AND Development ~~Services~~ Department.

THE DEVELOPER MAY ALSO IMPLEMENT ALTERNATIVE SOLUTIONS FOR THE NATURALIZING AND BLENDING OF THE QUARRY CUT SLOPE WITH THE ADJACENT UNDISTURBED HILLSIDE AREA, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

~~28.~~ 36. ~~That s~~Solid block walls, except for retaining walls or privacy fencing on individual lots, shall not be constructed outside of the building envelopes for the R1-18 portion of the site, as approved by the PLANNING AND Development ~~Services~~ Department. Fencing constructed outside of the building envelope shall be combination solid/view fencing. In addition, all fencing above the 15 percent slope line shall be 100 percent view fencing.

~~29.~~ 37. ~~That t~~The entire 60-acre site shall have no perimeter fencing, as approved by the PLANNING AND Development ~~Services~~ Department.

~~30.~~ 38. ~~That p~~Private roadways within the R1-18 portion of the site shall be provided with ribbon curbs and colored asphalt, as approved by the PLANNING AND Development ~~Services~~ Department.

~~31.~~ 39. ~~That private roadways within the R1-8 portion of the site shall be provided with a raised, vertical curb, as approved by the Development Services Department.~~

~~32.~~ 40. ~~That a~~All HVAC units shall be ground mounted.

~~33.~~ 41. ~~That a~~All street lighting and wall mounted security fixtures shall be full cut off lighting. Fixture height shall be a maximum of 12 feet. Street lighting fixtures shall be decorative and have a consistent architectural theme, as approved by the PLANNING AND Development ~~Services~~ Department.

~~34.~~ ~~That b~~Bollards shall be used for accent lighting at the primary access, entry
42. monument, driveways, and trail crossings, as approved by the PLANNING AND Development ~~Services~~ Department. Photovoltaic energy sources for bollard lighting shall be provided.

~~35.~~ ~~That a~~Any request to delete or modify these stipulations SHALL be preceded
43. by A presentation to the Laveen Village Planning Committee (VPC) for review and recommendation, and notification to the following persons two weeks prior to presentation at the VPC:

a. Jon Kimoto, 3216 West Ansell Road, Laveen, 85339

b. Cyd Manning, P.O. Box 41234, Mesa, 85274

c. Judy Brown, P.O. Box 41234, Mesa, 85274

d. Christine Dicken, 10827 South 30th Avenue, Laveen, 85339

e. Richard Birnbaum, 11014 South 35th Avenue, Laveen, 85339

f. Phil Hertel, ~~2300~~ 2845 West Broadway Road, Phoenix, 85041

g. Steven Klein, 6820 South 66th Avenue, Laveen, 85339

~~36.~~ ~~That t~~The following individuals shall be notified of any and all PLANNING AND
44. Development ~~Services~~ Department ~~(DSD)~~ meetings which are open to the public. The applicant shall be responsible for notification to the following via a first-class letter to be mailed at least two weeks prior to the ~~DSD~~ meeting(s):

a. Jon Kimoto, 3216 West Ansell Road, Laveen, 85339

b. Cyd Manning, P.O. Box 41234, Mesa, 85274

c. Judy Brown, P.O. Box 41234, Mesa, 85274

d. Christine Dicken, 10827 South 30th Avenue, Laveen, 85339

e. Richard Birnbaum, 11014 South 35th Avenue, Laveen, 85339

f. Phil Hertel, ~~2300~~ 2845 West Broadway Road, Phoenix, 85041

g. Steven Klein, 6820 South 66th Avenue, Laveen, 85339

~~37.~~ ~~That a~~All sidewalks, within the R1-8 portion of the site, WHICH ARE
45. DEVELOPED ALONG STREETS DEVELOPED AS PUBLIC STREETS OR PRIVATE ACCESSWAYS shall be detached with a minimum five-foot wide

landscaped strip located between the sidewalk and back of curb and shall include minimum two-inch caliper shade trees planted ~~a minimum rate of~~ 20 feet on center or IN equivalent groupings along both sides of the sidewalk, as approved OR MODIFIED by the PLANNING AND Development ~~Services~~ Department. The landscape strip shall be installed by the developer and maintained by the homeowners' association.

~~38.~~ 46. ~~That a~~A mix of two and three-inch caliper trees shall be provided within all required common open space tracts. With the exception of the open space area adjacent to 35th Avenue, the species of trees provided shall shade 50 percent of the area of the open space at tree maturity, as approved by the PLANNING AND Development ~~Services~~ Department.

~~39.~~ ~~That only one-story homes shall be located along 35th Avenue.~~

47. LOTS ~~52-61 AND 82-83~~ 1-7, LOCATED ALONG 35TH AVENUE AND AS DEPICTED ON THE SITE PLAN DATE STAMPED ~~NOVEMBER 21, 2019~~ MAY 26, 2020, ARE LIMITED TO A MAXIMUM BUILDING HEIGHT OF 20 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

~~40.~~ 48. ~~That a~~A detailed site plan, landscaping plan, elevations, perimeter fence or wall plan, lighting plan, and entry monument signage shall be reviewed by the Laveen Village Planning Committee prior to preliminary site plan approval by the PLANNING AND Development ~~Services~~ Department.

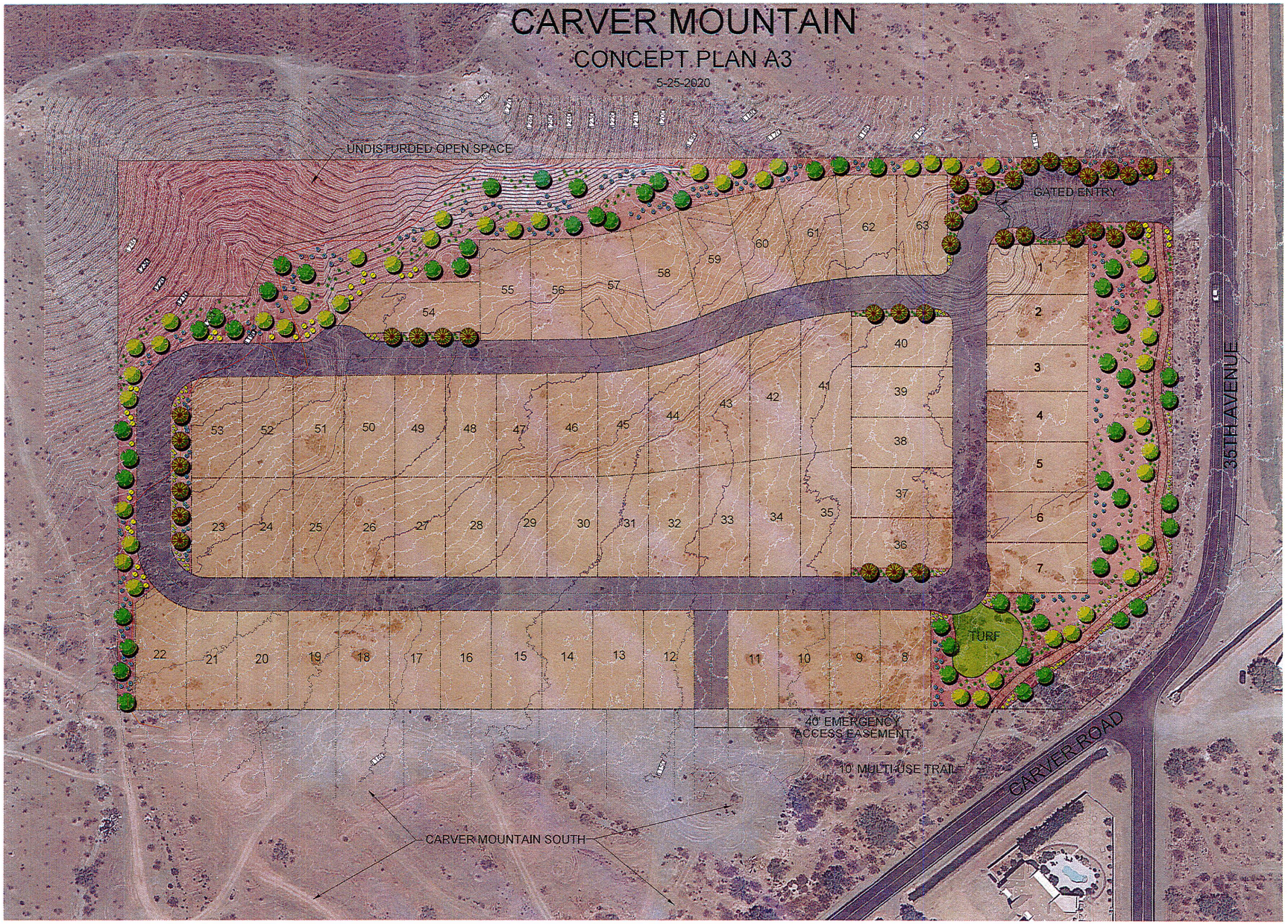
Exhibit

Site Plan date stamped May 26, 2020

CARVER MOUNTAIN

CONCEPT PLAN A3

5-25-2020



CITY OF PHOENIX

MAY 26 2020

Planning & Development Department

NORTH

SCALE: 1" = 50'

0 50 100 150

Land Development Engineering, LLC

3420 East Shea Blvd, Suite 156 Phoenix, Arizona 85028

Office 602.396.5700 www.LDEaz.com

City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Mayor & City Council **Date:** July 1, 2020

From: Alan Stephenson
Planning and Development Director

Subject: CONTINUANCE OF ITEM 72 ON THE JULY 1, 2020 FORMAL AGENDA – REZONING APPLICATION PHO-1-19 - - Z-165-06-7(8) – NORTHWEST CORNER OF 35TH AVENUE AND CARVER ROAD

Item 72, is a request to hold a public hearing on the Planning Hearing Officer application PHO-1-19 - - Z-165-06-7(8) to modify and delete stipulations associated with the original rezoning approval at the northwest corner of 35th Avenue and Carver Road.

The applicant has requested a continuance to the August 26, 2020 City Council Formal Meeting to allow additional time to review and respond to a proposal submitted by the community.

Staff recommends the request be continued to the August 26, 2020 City Council Formal Meeting.

Approved: Mario Paniagua 7-1-20
Mario Paniagua, Deputy City Manager

City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Mario Paniagua
Deputy City Manager

Date: April 1, 2021

From: Alan Stephenson
Planning and Development Director

Subject: CONTINUANCE OF ITEM 115 ON THE APRIL 7, 2021 FORMAL AGENDA – PUBLIC HEARING AND ORDINANCE ADOPTION – AMEND CITY CODE – REZONING APPLICATION PHO-1-19--Z-165-06-7(8) – NORTHWEST CORNER OF 35TH AVENUE AND CARVER ROAD (ORDINANCE G-6718)

The purpose of this memo is to request the continuance of the following item to the June 2, 2021 Formal Agenda.

Item 115 is a request to hold a public hearing on the Planning Hearing Officer application for the following item and consider adoption of the Planning Commission recommendation on June 4, 2020.

This request is to continue the item to June 2, 2021, to align the schedule of this request with the schedule for the Planned Unit Development, application, Z-60-20-8, on the same site.

Approved: Mario Paniagua
Mario Paniagua, Deputy City Manager

Enclosure: Continuance request from the applicant

City of Phoenix

Report

Agenda Date: 6/2/2021, **Item No.** 127

(CONTINUED FROM MAY 19, 2021) - Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-56-20-4 - Southeast Corner of 3rd Avenue and Coolidge Street (Ordinance G-6853)

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-56-20-4 and rezone the site from R-3 (Multifamily Residence District) and R-5 (Multifamily Residence District) to PUD (Planned Unit Development) for multifamily residential.

Summary

Current Zoning: R-3 (Multifamily Residence District) (0.18-acres) and R-5 (Multifamily Residence District) (3.11 acres)
Proposed Zoning: PUD
Acreage: 3.29 acres
Proposed Use: A Planned Unit Development to allow multifamily residential

Owner: Donor Network of Arizona
Applicant: Trinsic Residential Group, Todd Gosselink
Representative: Withey Morris, PLC, Jason Morris

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Alhambra Village Planning Committee heard this case for WU Code zoning on Jan. 26, 2021 and recommended approval, per the staff recommendation, by a vote of 15-1.
PC Action: The Planning Commission heard this case for WU Code zoning on Feb. 4, 2021 and recommended approval, per the Alhambra Village Planning Committee recommendation with an additional stipulation, by a vote of 7-1.
The Planning Commission recommendation was appealed on Feb. 10, 2021 and a petition for a 3/4 vote was submitted on Feb. 11, 2021.
Council Action: Item was continued from March 3 and 17, 2021. On April 7, 2021 the City Council remanded the request back to the Planning Commission with direction to amend the request to a Planned Unit Development (PUD) zoning application.

PC Action: The Planning Commission heard this case for PUD zoning on May 6, 2021 and recommended approval per the Addendum A Staff Report, with a modified stipulation and additional stipulations, by a vote of 6-3.

Location

Southeast corner of 3rd Avenue and Coolidge Street
Council District: 4
Parcel Addresses: 201 W. Coolidge St.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua 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-56-20-4) FROM R-3 (MULTIFAMILY RESIDENCE DISTRICT) AND R-5 (MULTIFAMILY 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 3.29-acre property located at the southeast corner of 3rd Avenue and Coolidge Street, in a portion of Section 20, Township 2 North, Range 3 East, as described more specifically in Exhibit “A”, is hereby changed from 0.18-acres of “R-3” (Multifamily Residence District) and 3.11 acres of “R-5” (Multifamily 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 Aura Uptown 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 April 29, 2021, as modified by the following stipulations:

    a. Front cover: Revise the submittal date information on the bottom to add the following: City Council adopted: [add adoption date].

    b. Page 8, Development Standards Table, Building Height: Modify building height standard to read as follows:

    North Street Frontage/West Street Frontage: 48 feet
    (units along the north and west)
    East Frontage/South Frontage: 56 feet

    c. Page 8, Development Standards Table, Minimum Open Space: Modify minimum open space standard to read as follows:

    15% publicly accessible open space
    5% general open space
    (including canalscape)

    d. Page 9, Landscape Development Standards Table, Canalscape; Modify the first bullet point to read as follows: A publicly accessible landscaped greenspace area shall be provided adjacent to the Arizona Grand Canal Trail on the south side of the property. At minimum, the green space area will measure 4,800 square feet, 15 feet in depth for a distance of 260 feet, 7 feet in depth for a distance of 70 feet, and shall be generally consistent with the landscape plan in Exhibit 7. A minimum of 3 pedestrian amenities, which could include but are not limited to, benches and shade canopies shall be provided within the landscape area.

    e. Page 9, Landscape Development Standards Table, Streetscape (Coolidge Street and 3rd Avenue Frontages); Add a bullet point to read as follows:
    Half of the trees along the north and west perimeter shall be salvaged, and if unsalvageable they must be replaced with a minimum 4-inch caliper tree or two 2-inch caliper trees.

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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. This parcel is in a Special Flood Hazard Area (SFHA) called Zone A, on panel 1740 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013. The following requirements shall apply, as approved by the Planning and Development Department:

    a. The Architect/Engineer is required to show the floodplain boundary limits on the Grading and Drainage plan and ensure that impacts to the proposed facilities have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3); this includes, but not limited to provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.

    b. A copy of the Grading and Drainage Plan shall be submitted to the Floodplain Management section of Public Works Department for review and approval of Floodplain requirements.

    c. The developer shall provide a FEMA approved CLOMR-F or CLOMR prior to issuance of a Grading and Drainage permit.

4. 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.

5. 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.

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.

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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 19th day of May 2021.

_____
MAYOR

ATTEST:

_____City Clerk

APPROVED AS TO FORM:

_____City Attorney

REVIEWED BY:

_____City Manager

Exhibits:
A – Legal Description (2 Pages)
B – Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-56-20-4

A PORTION OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CALCULATED CENTER CORNER OF SAID SECTION 20, BEING THE INTERSECTION OF CENTRAL AVENUE AND CAMPBELL AVENUE AS REFERENCED IN THE MONUMENT CORNER TIES FOR LINE SECTION 2 CENTRAL PHOENIX LIGHT RAIL TRANSIT PROJECT, IN DOCUMENT 2009-0003295, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 89 DEGREES 31 MINUTES 20 SECONDS WEST, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 20, A DISTANCE OF 1,318.52 FEET TO A CITY OF PHOENIX BRASS CAP FLUSH “RLS 39131” MARKING THE CENTERLINE OF 3RD AVENUE AND CAMPBELL AVENUE;

THENCE NORTH 00 DEGREES 06 MINUTES 20 SECONDS WEST, ALONG THE CENTERLINE OF SAID 3RD AVENUE, A DISTANCE OF 564.11 FEET TO THE POINT OF **BEGINNING**;

THENCE CONTINUING NORTH 00 DEGREES 06 MINUTES 20 SECONDS WEST ALONG SAID LINE, A DISTANCE OF 416.71 FEET TO THE CENTERLINE OF 3RD AVENUE AND COOLIDGE STREET, BEING SOUTH

1.69 FEET AND 3.40 FEET OF TWO CITY OF PHOENIX BRASS CAPS;

THENCE SOUTH 89 DEGREES 27 MINUTES 41 SECONDS EAST, ALONG THE CENTERLINE OF SAID COOLIDGE STREET A DISTANCE OF 358.31 FEET, BEING 966.10 FEET WEST OF THE INTERSECTION OF CENTRAL AVENUE AND COOLIDGE STREET;

THENCE SOUTH 00 DEGREES 15 MINUTES 25 SECONDS WEST, A DISTANCE OF 348.85, FEET DEPARTING SAID COOLIDGE STREET, ALONG THE EAST LINE OF PARCEL 1 OF THAT SPECIAL WARRANTY DEED RECORDED IN 2001-0882094, AND THE SOUTHERLY PROLONGATION THEREOF, TO A POINT 25 FEET SOUTHERLY OF THE SOUTHERLY LINE OF SAID PARCEL 1, MEASURED AT 90 DEGREES;

THENCE ALONG A 25 FOOT SOUTHERLY OFFSET OF THE SOUTH LINES FOR LOTS 15, 17 AND 19 OF ‘SUBURBAN ACRES’ AS RECORDED IN BOOK 13, PAGE 22 RECORDS OF MARICOPA COUNTY, ARIZONA, SOUTH 72 DEGREES 19 MINUTES 53 SECONDS WEST, DISTANCE OF 65.89 FEET;

THENCE CONTINUING ALONG SAID SOUTHERLY OFFSET, SOUTH 74 DEGREES 12 MINUTES 10 SECONDS WEST, A DISTANCE OF 147.10 FEET;

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THENCE CONTINUING ALONG SAID SOUTHERLY OFFSET, SOUTH 78 DEGREES 50 MINUTES 02 SECONDS WEST, A DISTANCE OF 123.95 FEET;

THENCE SOUTH 89 DEGREES 53 MINUTES 40 SECONDS WEST, A DISTANCE OF 30.00 FEET TO THE POINT OF **BEGINNING**.

SAID PARCEL CONTAINS 142,789 SQUARE FEET OR 3.278 ACRES, MORE OR LESS.

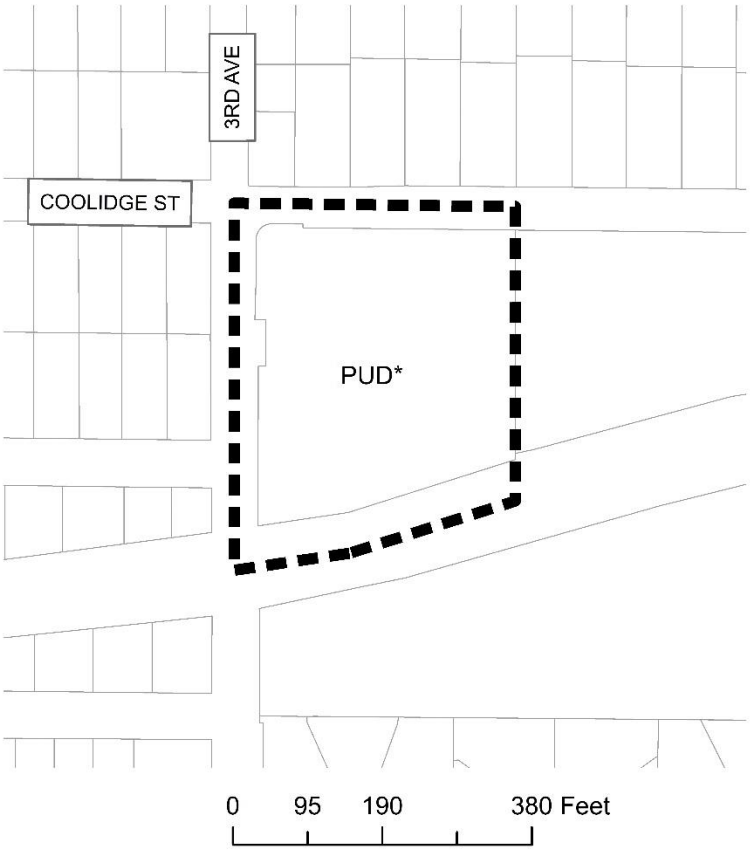
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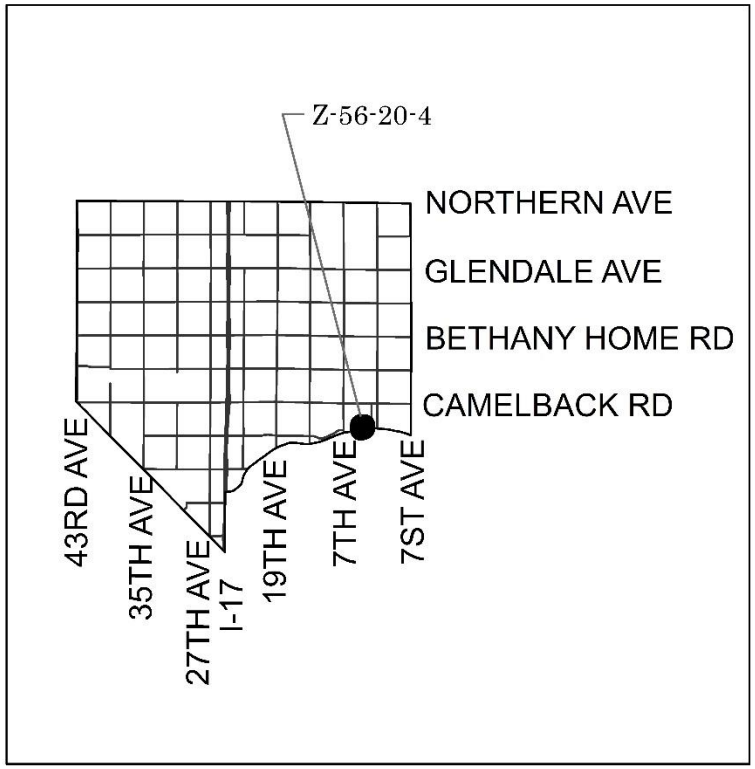
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-56-20-4
Zoning Overlay: N/A
Planning Village: Alhambra





NOT TO SCALE

N

Drawn Date: 5/10/2021

\\one\pdd\Shared\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\SuppMaps_OrdMaps\2021 Ord\5-19-21\Z-56-20-4.mxd

Attachment B

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-56-20-4
January 20, 2021

Alhambra Village Planning Committee Meeting Date:	January 26, 2021
Planning Commission Hearing Date:	February 4, 2021
Request From:	R-3 (Multifamily Residence District) (0.18 acres) and R-5 (Multifamily Residence District) (3.11 acres)
Request To:	WU Code T5:5 UT (Walkable Urban Code, Transect 5:5, Uptown Character Area) (3.29 acres)
Proposed Use:	Multifamily Residential
Location:	Southeast corner of 3rd Avenue and Coolidge Street
Owner:	Donor Network of Arizona
Applicant:	Trinsic Residential Group, Todd Gosselink
Representative:	Withey Morris PLC, Jason Morris
Staff Recommendation:	Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation		Residential 15+ Dwelling Units Per Acre	
Street Map Classification	3rd Avenue	Local Street	Varies from 30 to 40 foot east half street
	Coolidge Street	Local Street	Varies from 25 to 30 foot south half street

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 development, as proposed, will create new housing opportunities in the area and within close proximity to a light rail station, the educational facilities, and the North Central Avenue Employment Center, especially via the Grand Canal Multiuse Trail.

CONNECT PEOPLE AND PLACES CORE VALUE; COMPLETE STREETS; DESIGN PRINCIPLE: 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.
The development, as required by provisions of the Walkable Urban Code, will situate buildings to frame the street environment with vehicle parking lots situated at the interior of the site and to allow for the creation of a comfortable pedestrian environment along the public streets. Further, the development, as stipulated, will screen parking from the Grand Canal and its multiuse trail.

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREE AND SHADE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.
The development, as stipulated, will create an attractive streetscape with detached and shaded sidewalks. The shade incorporated into the development along its frontages will reduce the urban heat island effect and increase thermal comfort which will make the area more walkable, bikeable, and sustainable.

CONNECT PEOPLE AND PLACES CORE VALUE; BICYCLES; DESIGN PRINCIPLE: Development should include convenient bicycle parking.
The development, as stipulated, includes bicycle parking and bicycle facilities as a central component of the project to facilitate bicycling as a way of life. Features include secure bicycle parking for residents, convenient racks for guests, and a bicycle repair station situated as a public amenity; together, these features will complement the Grand Canal and its multiuse trail.

CONNECT PEOPLE AND PLACES CORE VALUE; CANALS AND TRAILS; LAND USE PRINCIPLES: Plan, design, and develop pedestrian linkages between parks, open spaces, village cores, neighborhood shopping centers, neighborhood schools, and neighboring municipalities.
The subject site is immediately adjacent to the Grand Canal which recently was improved through the Canalscape Project and provides regional connectivity, direct connections to Phoenix Central High School, the Phoenix Coding Academy, Xavier College Preparatory, Brophy College Preparatory, Steele Indian School Park, and access to Central Avenue and the rail. The development, as stipulated, will add vitality to this section of the Grand Canal and its multiuse trail as a community asset.

Applicable Plans, Overlays, and Initiatives
Transit Oriented Development Strategic Policy Framework: Background Item No. 5.
Uptown Transit Oriented Development Policy Plan: Background Item No. 6.
Tree and Shade Master Plan: Background Item No. 9.
Complete Streets Guidelines: Background Item No. 10.
Comprehensive Bicycle Master Plan: Background Item No. 11.
Housing Phoenix: Background Item No. 12.
Reimagine Phoenix: Background Item No. 13.

Surrounding Land Uses and Zoning		
	Land Use	**Zoning**
On Site	Office	R-3 and R-5
East	Multifamily	R-5
North (across Coolidge Street	Various residential	R-3 and R-5
South (across the Grand Canal)	Multifamily	R-4
West	Single-family residential	R-3

Walkable Urban Code Transect 5:5 UT		
Standards	**Requirements**	**Provisions on the Proposed Site Plan**
Gross Acreage	No minimum	3.29
Total Number of Units	No maximum	218 units
Density	No maximum	66.26
Building Height	56 foot maximum	56 feet (Met)
Parking Structure Height	Cannot exceed building height	58 feet (Not Met*)
Streetscape Standards (Section 1312.E)		
Minor Collector and Local Streets	Minimum sidewalk width: 5 feet Minimum landscape width: 5 feet (if no public utility conflict)	5 feet (Met) 5 feet (Met)
Main Building Setbacks		
Primary Frontage (Coolidge Street)	12 foot maximum	Varies but less than 12 feet (Met)
Secondary Frontage (3rd Avenue)	10 foot maximum	10 feet (Met)
Non Street (South and East)	0 foot minimum	15 feet and 10 feet respectively (Met)
Parking Setbacks		
Primary Frontage	30 foot minimum or behind building	Behind building (Met)
Secondary Frontage	20 foot minimum with a 10 foot landscape setback measured from the street right of way	Behind building (Met)
Rear (West)	0 foot minimum	Behind building (Met)
Lot Requirements		
Lot Coverage	80 percent maximum	73 percent (Met
Primary Building Frontage	70 percent minimum	94 percent (Met)
Secondary Building Frontage	50 percent minimum	83 percent (Met)

Walkable Urban Code Transect 5:6 UT *(Cont.)*		
Standards	**Requirements**	**Provisions on the Proposed Site Plan**
Frontage Types Allowed		
Primary Frontage (Coolidge Street)	All frontages or alternative frontages as per Section 1305.B.1.c	Storefront and Stoop / Doorwell, Met)
Secondary Frontage (3rd Avenue)	All frontages or alternative frontages as per Section 1305.B.1.c	Stoop / Doorwell, Met)
Entry Requirements	Common Entry: minimum one per 50 feet of primary building frontage and one per 80 feet of secondary frontage. Other frontages as per Table 1305.1	Not provided.
Glazing Requirements T4 standards apply for multifamily	Ground floor and second floor 25 percent minimum. Second floor (east and west): 10 percent minimum Upper floors: not applicable	Not provided.
		**Site plan adjustment required*

Background/Issues/Analysis

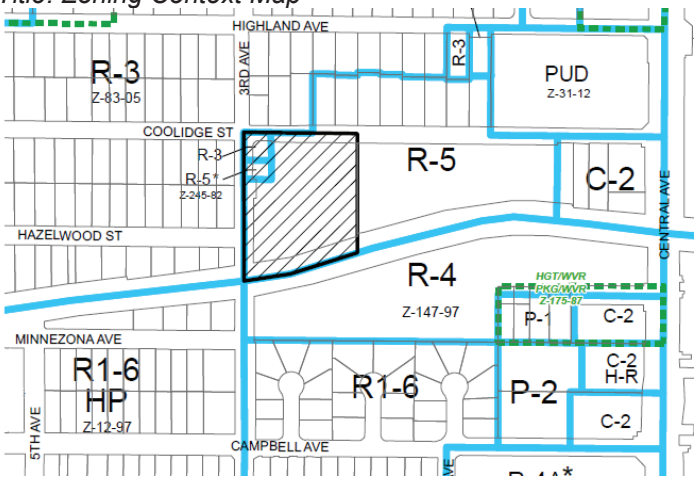
SUBJECT SITE

1. This request is to rezone 3.29 acres at the southeast corner of 3rd Avenue and Coolidge Street from R-3 (Multifamily Residence District) and R-5 (Multifamily Residence District) to WU Code T5:5 UT (Walkable Urban Code Transect 5:5, Uptown Character Area).

SURROUNDING LAND USES AND ZONING

2. The proposed zoning of WU Code T5:5 UT (Walkable Urban Code Transect 5:5, Uptown Character Area) permits a maximum height of 56 feet. The site is currently developed with an office building. The Zoning Context Map depicts the zoning entitlements of the subject site and the surrounding area.

Title: Zoning Context Map



Source: Planning and Development Department

East: Immediately east of the subject site is a multifamily complex which is zoned R-5 (Multifamily Residence District). The zoning permits a maximum height of 48 feet but the existing buildings do not exceed three stories in height.

West: West of the subject site across 3rd Avenue are residential structures of a single-story and single-family detached character. The R-3 (Multifamily Residence District) zoning permits a maximum height of 30 feet by right, and up to 48 feet with increased setbacks.

North: North of the subject site across Coolidge Street are various residential structures ranging from a single-family detached character to small apartment complex, with neither type exceeding two stories. The approximate west half of sites immediately north of the subject site are zoned R-3 (Multifamily Residence District) which permits a maximum height of 30 feet by right, and up to 48 feet with increased setbacks, and the remaining sites to the east are zoned R-5 (Multifamily Residence District) which permits a maximum height of 48 feet.

South (the Grand Canal): South of the subject site is the Grand Canal which was recently improved through the Canalscape project which brought lighting, landscaping, and seating improvements to this section of the canal.

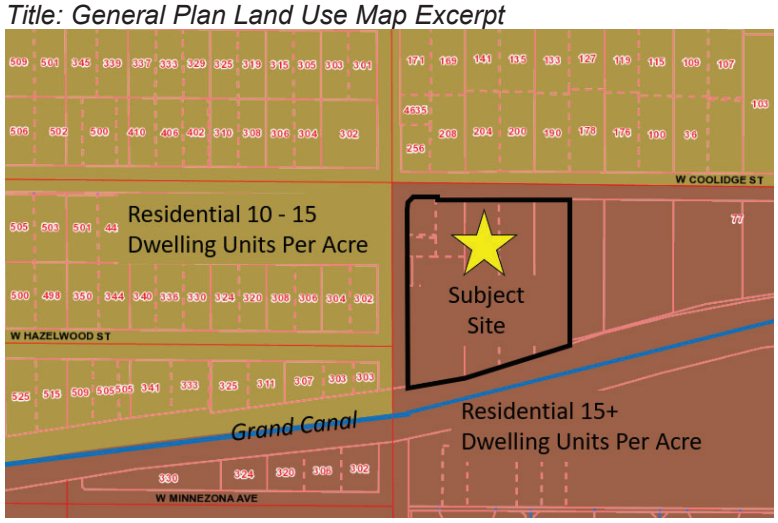
South (beyond the Grand Canal): South of the subject site across the Grand Canal is a multifamily community zoned R-4 (Multifamily Residence District) which permits a maximum height of 48 feet.

3. Located along Central Avenue and several properties east of the subject site is the Interim Transit-Oriented Zoning Overlay District One (TOD-1). The primary purpose of TOD-1 was "to encourage an appropriate mixture and density of activity around transit stations to increase ridership along the light rail corridor and promote alternative modes of transportation to the automobile" while the Walkable Urban Code was developed.

GENERAL PLAN LAND USE MAP

4. The General Plan Land Use Map depicts a land use designation of Residential 15+ dwelling units per acre which is consistent with the density proposed.

Title: General Plan Land Use Map Excerpt



Source: Planning and Development Department

Surrounding the subject site are designations for multifamily densities including Residential 15+ dwelling units per acre to the south and east and Residential 10 to 15 dwelling units per acre to the north and west. The proposed use and density of the subject site is consistent with the surrounding context.

5. The Encanto Village Character Plan was approved and adopted in the Phoenix General Plan through General Plan Amendment GPA-1-19. Each of the 15 Urban Villages have a Character Plan.

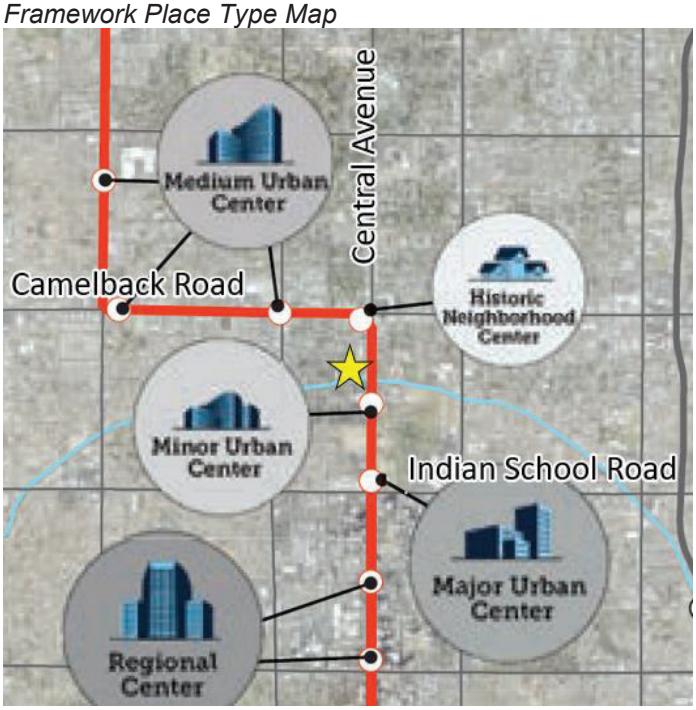
The proposed project advances the following items identified in the Encanto Village Character Plan: encourage growth along the light rail; integrating canals into project design; and new development being consistent with adopted plans.

One such area of alignment is with the North Central Employment Center (profile attached) which identifies the presence of approximately 770,000 young, well-educated, workers within a 10 to 20 minute drive and projected growth of 170,000 new residents within a 30 minute drive. The proposed development will provide housing opportunities for the growing population in proximity to the growing employment center while also reducing the need for long vehicle commutes.

6. **Transit Oriented Development Strategic Policy Framework:**
The Transit Oriented Development Strategic Policy Framework is part of the City's General Plan. The framework identifies planning typologies to describe urban environments in terms of appropriate scale and intensity

As depicted on the right, the subject site is located within one-quarter mile from two light rail stations. The nearest station, Central and Campbell, is identified in the Strategic Policy Framework as a Minor Urban Center Place Type.

Title: Transit Oriented Development Strategic Policy Framework Place Type Map



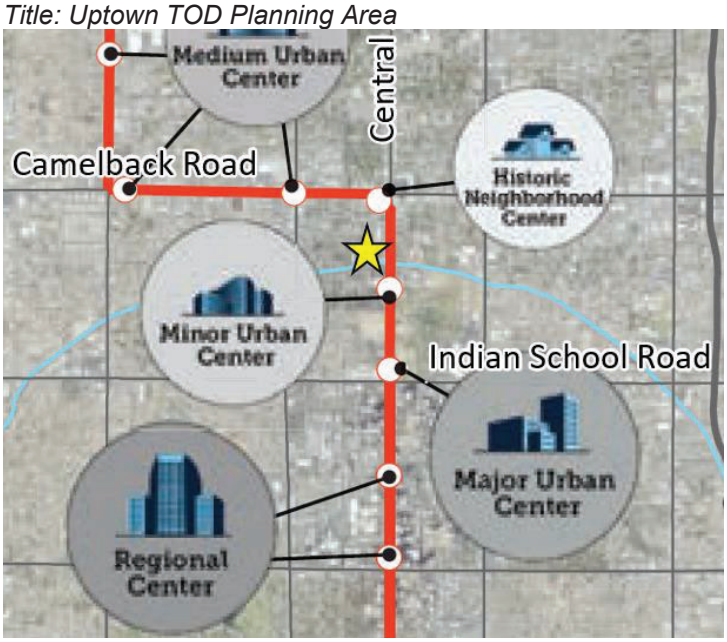
Source: Planning and Development Department

The Minor Urban Center Place Type is characterized by two to five story buildings with allowances for up to seven when incentive criteria are met or when a special circumstance exists. The proposed development, using the Walkable Urban Code and depicting a height of four stories, is consistent with the Minor Urban Center Place Type.

7. **Uptown Transit Oriented Development Policy Plan:**
The subject site is located within the Uptown TOD Planning Area which is depicted on the following page. The policy plan adopted for the Uptown TOD District provides a blueprint for fully achieving the transformative potential of light rail in a sustainable manner. Changes advocated in the plan can lower transportation costs for residents, create new business opportunities, encourage active, healthy lifestyles, ensure Phoenix increases its competitive advantage in the global marketplace, and improve prosperity by growing the economy in locations with existing infrastructure and public services.

While the subject site is not mapped for a specific recommended transect for redevelopment, the Uptown TOD District Plan provides the following direction relevant to the subject site:

Title: Uptown TOD Planning Area



Source: Planning and Development Department

Activating the Grand Canalscape:
The Uptown TOD Plan describes at length the importance and opportunity of embracing the Grand Canal as an open space amenity, as a regional active transportation trail, and as waterfront. While the Canalscape Project is complete, it is the projects adjacent to the Grand Canal that will enliven the waterfront.

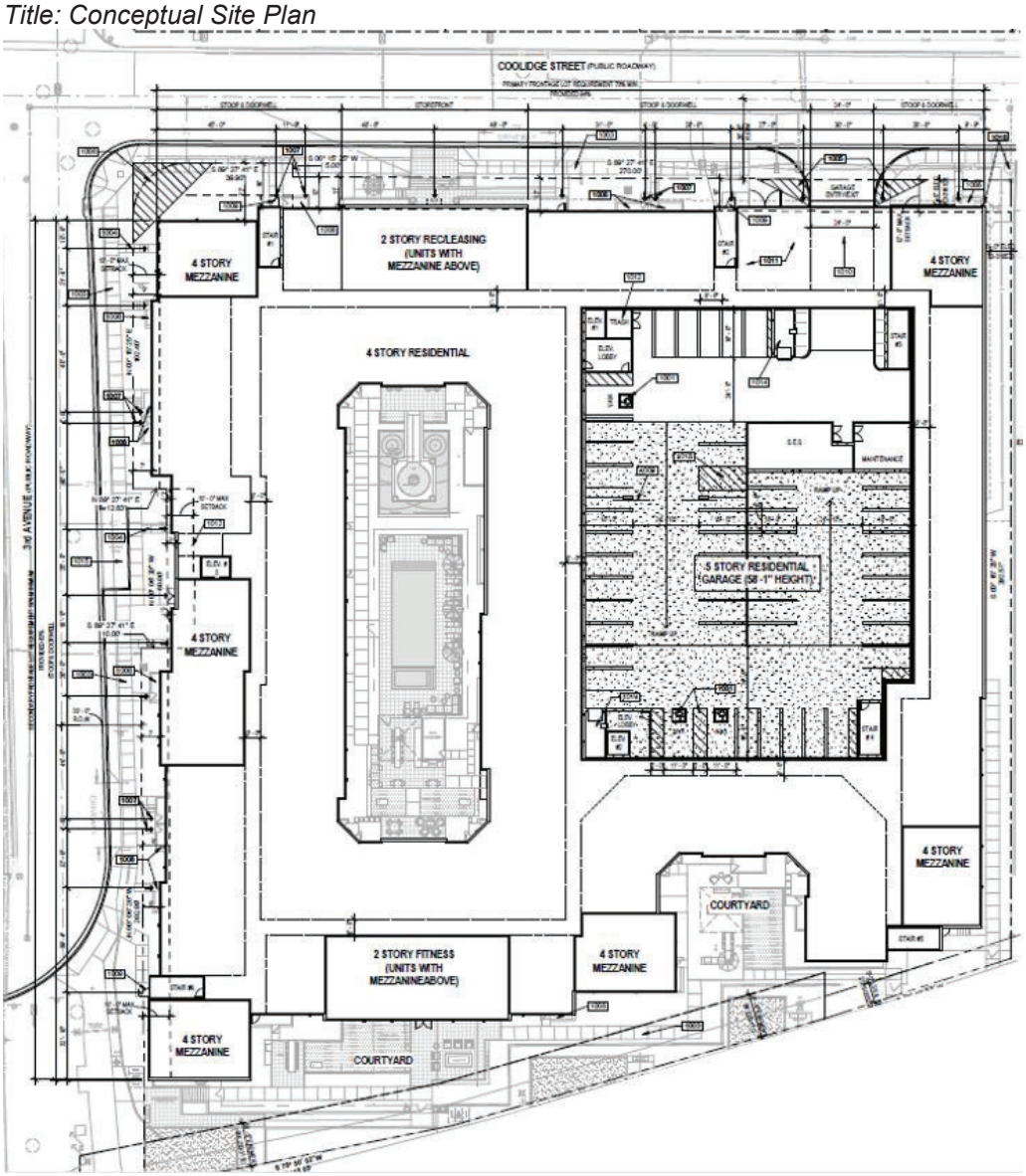
Increase the Population Using Alternative Transportation: .
The Uptown TOD Plan includes several measurable outcomes focused on increasing ridership on the light rail, increasing the number of individuals riding bikes or walking to work, and decreasing the number of Vehicle Miles Traveled (VMT). The proposed project will position new households within walking and bicycling distance to jobs, schools, and major park facilities.

PROPOSAL

8. *Site Plan*

As depicted on the conceptual site plans and elevations on the following pages, the proposal is for four floors of housing with five levels of parking located at the interior of the site. The site plan depicts one point of vehicular access from Coolidge Street. The site plan depicts 218 dwelling units with 46 studios, 116 one-bedroom, and 56 two-bedroom units. At a rate of 1.3 parking spaces per studio and 1.5 spaces per one and two bedroom units, the code would require 318 parking spaces but due to the proximity to light rail, a 10 percent reduction is applied for a total of 287 spaces.

Title: Conceptual Site Plan



Source: Rich Barber Architects

The ground floor units fronting 3rd Avenue and Coolidge Street will employ stoop and doorwell frontages and the main leasing area oriented to Coolidge Street will employ a storefront frontage; these ground level treatments abide by the intent of the Walkable Urban Code to active the street frontage in addition to detached sidewalks and trees planted between the curb and sidewalk as required by the Walkable Urban Code.

The conceptual site plan depicts frontage types along the southern face of the

building mass to activate the interface with the canal. Staff is recommending Stipulation No. 1 to require the frontage types along 40 percent of the canal oriented building frontage.

9. *Canal Interface*

The conceptual site plan and building elevations depict measures intended to embrace and activate the frontage to the Grand Canal including amenity areas, common areas, bike racks, a bicycle repair station, vegetation, and a perimeter wall comprised mostly of view fence for ground level transparency. The Phoenix Zoning Ordinance governs canal interface through the design standards contained in Section 507 Tab A.

To advance the intent of the design guidelines and the Walkable Urban Code, staff is recommending a series of stipulations to provide additional specificity regarding improvements to the area between the southern mass of the building and the Grand Canal right-of-way including the following:

- Stipulation No. 1: To require Walkable Urban Code Frontage Types along a minimum 50 percent of the canal-facing building façade.
- Stipulation No. 2: To require architectural enhancements along the canal-facing building façade.
- Stipulation No. 3: To require large canopy shade trees to soften the canal environment and provide thermal comfort in the amenity areas and near the canal.
    - Due to the presence of an SRP easement at this location, the extent to which the developer will be allowed to improve this are is unknown and, therefore, the stipulation contains the language “as approved or modified by the Planning and Development Department.
- Stipulation No. 4: To require shaded open space adjacent to the canal right-of-way through the application of Section 1310.A.2 of the Phoenix Zoning Ordinance.
    - Due to the presence of an SRP easement at this location, the extent to which the developer will be allowed to improve this are is unknown and, therefore, the stipulation contains the language “as approved or modified by the Planning and Development Department.
- Stipulation No. 5: To require all walls and fences within 30 feet and oriented-to the canal right-of-way to have a maximum opaque height of 36 inches to promote interface between the project and the canal amenity.

10. *Conceptual Elevations*

The conceptual building elevations, pictured below, depict a four story multifamily complex exhibiting modern design elements, multiple colors, building articulation, shaded upper floor balconies, and a mix of ground floor frontage treatments including stoops, doorwells, and storefronts.

Title: Conceptual Building Elevations



Source: Rich Barber Architects

STUDIES AND POLICIES

11. **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.

The Walkable Urban Code contains landscape standards to provide enhanced tree plantings with a focus on thermal comfort and the conceptual site plan complies with code requirements.

To require tree shade be integrated into the project between the southern building mass and the Grand Canal right-of-way, staff is recommending Stipulation No. 3 requiring large canopy shade trees, placed 20 feet on center or in equivalent groupings, and with a minimum caliper of 3-inches at installation; the purpose of this stipulation is to promote thermal comfort for the amenity areas and along the Grand Canal.

12. **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. The Walkable Urban Code contains requirements for detached sidewalks with vegetative shade which will enhance the thermal comfort and sense of security for pedestrians passing on adjacent sidewalks.

Staff is recommending Stipulation No. 8 to require enhanced bicycle facilities on the site including secure bicycle parking for residents, bicycle racks for guests, and a publicly accessible bicycle repair station near the southern edge of the site; the purpose of these stipulations is to complement 3rd Avenue which is identified as the Phoenix Sonoran Bikeway and the Grand Canal multiuse trail which provides regional trail connectivity.

13. **Comprehensive Bicycle Master Plan:**
The Comprehensive Bicycle Master Plan is a guide for creating a culture and environment conducive to bicycling as a viable mode of transportation. The proximity to high capacity transit underscores the importance of walking and bicycling in this area.

Recognizing the presence of the Grand Canal, the recently completed Canalscape investments, the presence of the Phoenix Sonoran Bikeway, and proximity to high capacity transit, staff is recommending Stipulation No. 8 which requires secure bicycle parking for residents, bicycle parking for guests, and a publicly accessible bicycle repair station.

14. **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 the 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 or underutilized land in a more sustainable fashion.

15. **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 containers was not addressed in the applicant's submittals.

COMMUNITY CORRESONDENCE

16. As of the writing of this report, one letter of opposition was received detailing concerns relating to scale, privacy, traffic, the abundance of multifamily, and the design compatibility with the historic district.

INTERDEPARTMENTAL COMMENTS

17. The Fire Department commented that the site plan must comply with the Phoenix Fire Code and further indicated there are no problems anticipated with the case. 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 Phoenix Fire Code.

18. The Public Works Department, Floodplain Management Division determined the site is in a Special Flood Hazard Area (SFHA) called Zone A, on panel 1740 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013. The Public Works Department provided Stipulation No. 10 to require the applicant follow and document all necessary processes and improvements.

19. The Street Transportation Department provided Stipulation Nos. 6, 7, and 9 to require traffic calming at vehicular driveways, two pedestrian connections to the Grand Canal trail, and their standard stipulation regarding the applicant being responsible for construction of adjacent streets, respectively.

    The Street Transportation Department including the Pedestrian Safety Coordinator further commented on the importance of enhanced pedestrian and bicycle facilities including detached sidewalks, bicycle parking, a bicycle repair station, and connections to the Grand Canal trail. These issues are addressed in other stipulations or will be addressed through the application of the Walkable Urban Code.

20. The Public Transit Department commented on the need for a robust system of shaded pedestrian pathways with measures to delineate pedestrian crossings at drive-aisles. These issues are addressed in other stipulations or will be addressed through the application of the Walkable Urban Code.

OTHER

21. 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. 13.

22. Based on the proximity to Sky Harbor Airport, the Aviation Department is requiring Stipulation Nos. 11 and 12 which require recorded documents to disclose the existence of Sky Harbor Airport to future owners and residents, and that an avigation easement be recorded.

23. Development and use of the site are 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 proposal is consistent with the General Plan Land Use Map designation of Residential 15+ Dwelling Units Per Acre and the TOD Strategic Policy Framework Minor Urban Center Place Type designation.

2. The development advances the vision and recommendations contained in the Uptown Transit Oriented Development Plan and will support pedestrian oriented development near the light rail and multiple urban bikeways.

3. The proposal will create additional housing options for the significant number of residents in the Uptown TOD District.

Stipulations

1. The south facing mass of the building(s) oriented to the Grand Canal shall incorporate Walkable Urban Code Frontage Types described in Section 1305 for a minimum 40 percent of the building face(s), as approved by the Planning and Development Department. For the purpose applying the above provisions, the above shall be treated as a Secondary Frontage with regard to glazing.

2. The south facing mass of the building(s) oriented to the Grand Canal shall contain architectural embellishments, design detailing, and / or space programming to activate and provide visual access onto the canal, as approved by the Planning and Development Department. Examples of appropriate enhancements may include textural changes, offsets, recesses, variation in window size and location, overhang canopies, balconies with a depth greater of than 3 feet, and amenities such as gathering spaces.

3. Between the southern mass of the building and the south property line (the Grand Canal right-of-way), the developer shall plant minimum 3-inch caliper, large canopy shade trees, at a minimum frequency of 25 feet on center or in equivalent groupings, as approved or modified by the Planning and Development Department.

4. The provisions of Section 1310.A.2 of the Phoenix Zoning Ordinance shall apply to require shaded open space of which a minimum 50 percent shall be situated adjacent to the south property line (the Grand Canal right-of-way), as approved or modified by the Planning and Development Department.

5. No solid perimeter wall greater than 36 inches in height shall be oriented to and located within 30 feet of the south property line (the Grand Canal right-of-way), as approved by the Planning and Development Department.

6. The developer shall provide traffic calming to slow vehicle traffic exiting the property with specific regard to pedestrian safety on the public sidewalk, as approved by the Planning and Development Department.

7. The developer shall provide a minimum of two direct and accessible pedestrian connections from the amenity areas located south of the building mass to the shared use path along the Grand Canal Trail, as approved by the Planning and Development Department.

8. The developer shall provide and maintain the following bicycle infrastructure as described below and as approved by the Planning and Development Department.

    a. A bicycle repair station (fix-it station) along the southern edge of the site, visible, and accessible from the public sidewalk and / or the Grand Canal Trail. The station shall include but not limited to: standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while adjusting the bike.

    b. All required bicycle parking for multifamily use, per Section 1307.H.6.d of the Phoenix Zoning Ordinance, shall be secured parking.

    c. Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 spaces near entrances of buildings and installed per the requirements of Section 1306.H. of the Phoenix Zoning Ordinance.

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 the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

10. This parcel is in a Special Flood Hazard Area (SFHA) called Zone A, on panel 1740 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013. The following requirements shall apply, as approved by the Planning and Development Department:

a. The Architect/Engineer is required to show the floodplain boundary limits on the Grading and Drainage plan and ensure that impacts to the proposed facilities have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3); this includes, but not limited to provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.

b. A copy of the Grading and Drainage Plan shall be submitted to the Floodplain Management section of Public Works Department for review and approval of Floodplain requirements.

c. The developer shall provide a FEMA approved CLOMR-F or CLOMR prior to issuance of a Grading and Drainage permit.

11. 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.

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.

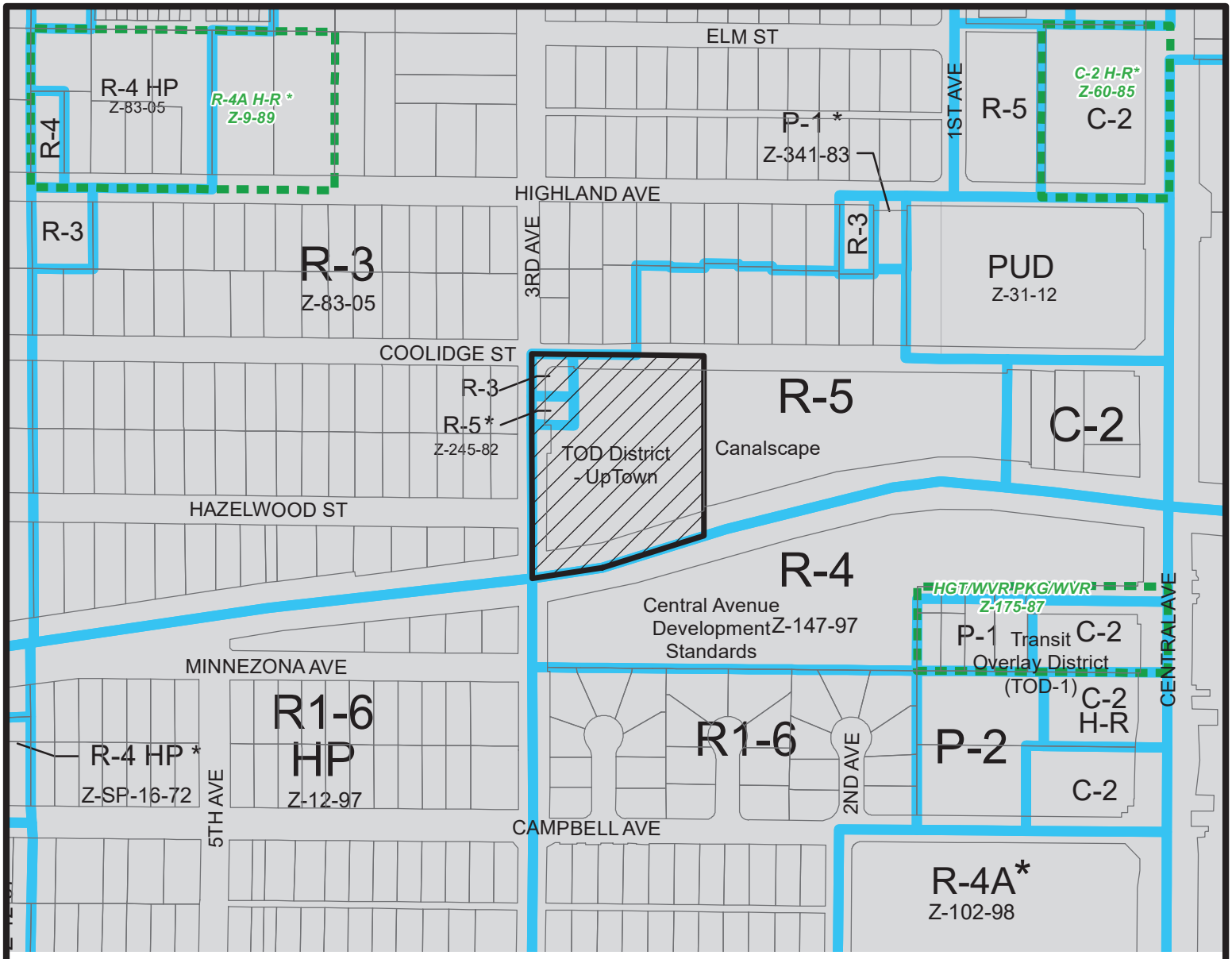
13. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

Writer
Nick Klimek
January 20, 2021

Team Leader
Samantha Keating

Exhibits
Zoning sketch map
Aerial sketch map
Conceptual Site Plan and Elevations date stamped October 19, 2020 (2 pages)
Community Correspondence (4 pages)

North Central Employment Center Profile (2 pages)



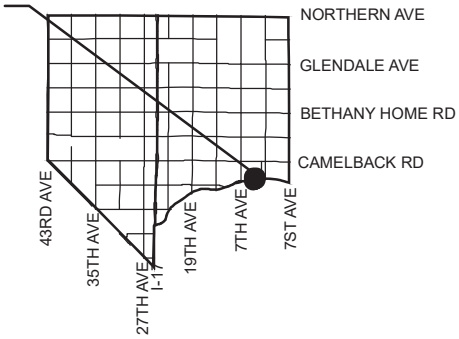
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ALHAMBRA VILLAGE

CITY COUNCIL DISTRICT: 4

Z-56-20



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME:	Trinsic Residential Group, Todd Gosselin
APPLICATION NO.	Z-56-20
DATE:	10/23/2020
REVISION DATES:	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.	3.29 Acres
AERIAL PHOTO & QUARTER SEC. NO.	QS 18-27
ZONING MAP	H-8

REQUESTED CHANGE:

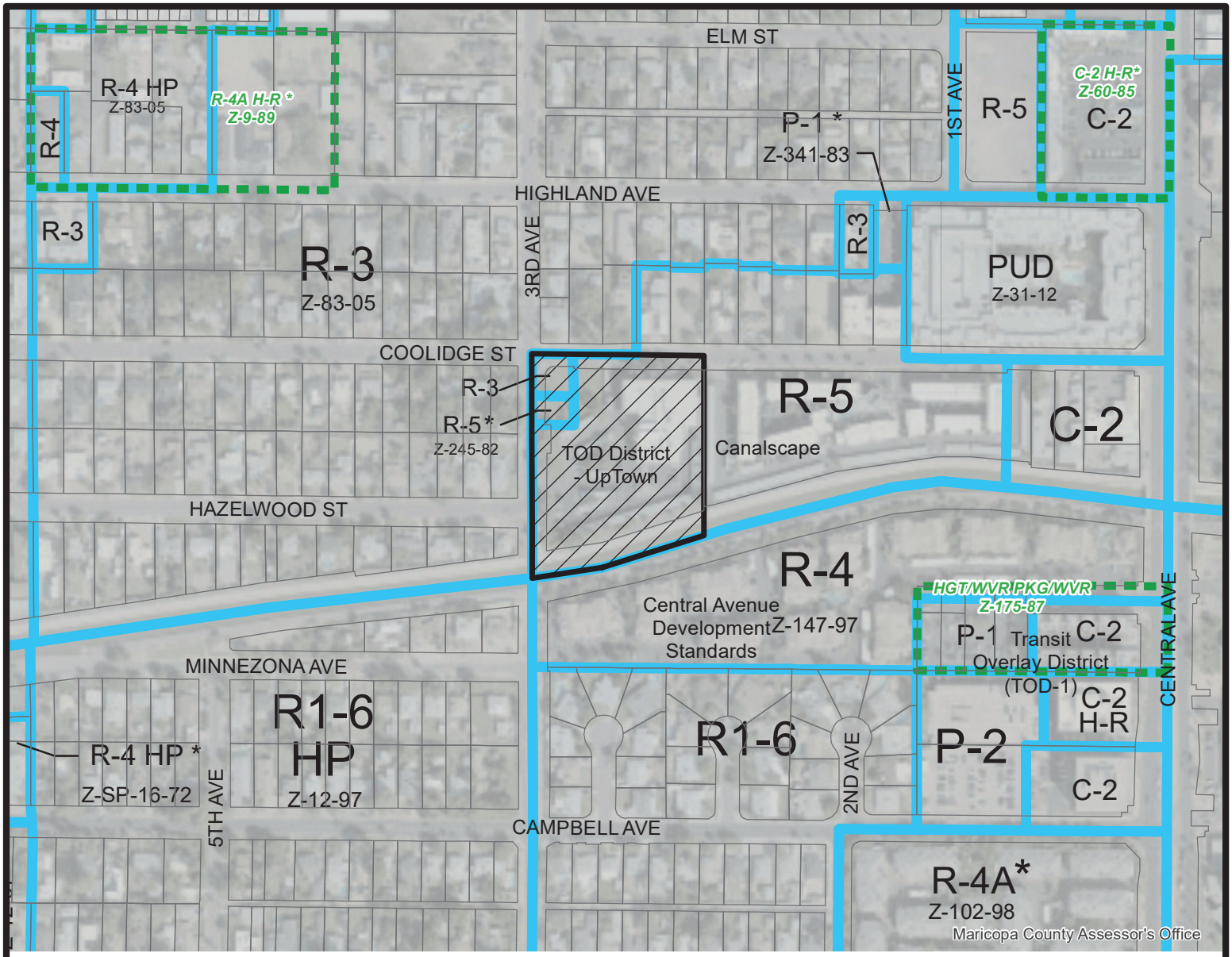
FROM: R-3 (0.18 a.c.)
R-5 (3.11 a.c.)

TO: WU Code T5:5 UT (3.29 a.c.)

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
R-3, R-5	2, 135	3, 162
WU Code T5:5 UT	No Maximum	N/A

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

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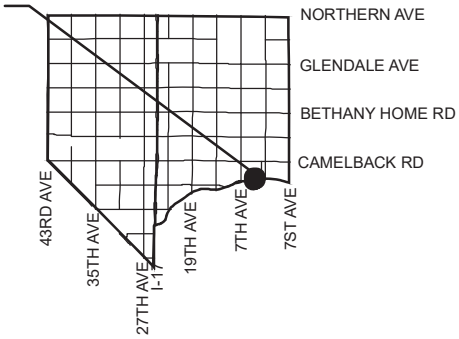
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R-3, R-5	2, 135	3, 162
WU Code T5:5 UT	No Maximum	N/A

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

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LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

PARCEL NO. 1:
THE WEST HALF OF LOT 15 AND THE EAST HALF OF LOT 17, SUBURBAN ACRES, ACCORDING TO PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 13 OF MAPS, PAGE 22;
EXCEPT THE NORTH 7.5 FEET FOR STREET PURPOSES.
PARCEL NO. 2:
THE WEST HALF OF LOT 17, SUBURBAN ACRES, ACCORDING TO PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 13 OF MAPS, PAGE 22;
EXCEPT THE NORTH 7.5 FEET FOR ROAD.
PARCEL NO. 3:
LOT 19, SUBURBAN ACRES, ACCORDING TO PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 13 OF MAPS, PAGE 22.
EXCEPT THEREFROM THE NORTH 185 FEET THEREOF;
EXCEPT THEREFROM THE WEST 30 FEET THEREOF; AND
EXCEPT THEREFROM ANY PART, THEREOF, LYING WITHIN THE WEST 30 FEET OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS PROVIDED IN DEED RECORDED IN DOCKET 940 1, PAGE 123.
PARCEL NO. 4:
THE SOUTH 60 FEET OF THE NORTH 185 FEET OF LOT 19, SUBURBAN ACRES, ACCORDING TO PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 13 OF MAPS, PAGE 22;
EXCEPT THE FOLLOWING DESCRIBED PARCEL FOR ROADWAY PURPOSES;
THAT PART OF THE SOUTH 60 FEET OF THE NORTH 185 FEET OF LOT 19, SUBURBAN ACRES, LYING WITHIN 40 FEET OF THE MONUMENT LINE OF THIRD AVENUE, AS SAID MONUMENT LINE IS SHOWN ON THE PLAT OF SOUTH PIERSON PLACE, THE PLAT OF WHICH IS RECORDED IN BOOK 17 OF MAPS, PAGE 45.
PARCEL NO. 5:
THE SOUTH 38 FEET OF THE WEST 60 FEET OF THE EAST 120 FEET OF THE NORTH 125 FEET OF LOT 19, SUBURBAN ACRES, AND THE NORTH 5 FEET OF THE SOUTH 43 FEET OF THE WEST 60 FEET OF THE EAST 120 FEET OF THE NORTH 125 FEET OF LOT 19, SUBURBAN ACRES, ACCORDING TO PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 13 OF MAPS, PAGE 22.
PARCEL NO. 6:
THE NORTH 82 FEET OF THE WEST 60 FEET OF THE EAST 120 FEET OF THE NORTH 125 FEET OF LOT 19, SUBURBAN ACRES, ACCORDING TO PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 13 OF MAPS, PAGE 22.
EXCEPTING THEREFROM THAT PORTION OF THE LAND CONVEYED TO THE CITY OF PHOENIX, A MUNICIPAL CORPORATION, MORE PARTICULARLY DESCRIBED IN QUIT-CLAIM DEED, RECORDED NOVEMBER 06, 2012 AS 2012-911309 OF OFFICIAL RECORDS.
PARCEL NO. 7:
THE EAST 60 FEET OF THE NORTH 125 FEET OF LOT 19, SUBURBAN ACRES, ACCORDING TO PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 13 OF MAPS, PAGE 22;
EXCEPT THE NORTH 7.5 FEET THEREOF.

CITY OF PHOENIX 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' x 33' 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. No noise, odor, or vibration will be emitted at any level exceeding the general level of noise, odor, or vibration emitted by uses in the area outside of the site.
6. Owners of property adjacent to public rights-of-way will have the responsibility for maintaining all landscaping located within the rights-of-way, in accordance with approved plans.
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 similar) shall not be used on this site where visible from public streets or adjacent residential areas.
10. All signage requires separate reviews, approvals, and permits. No signs are approved per this plan.
11. Gates are to remain open, or are to open automatically, between the hours of _____ and _____.

Please consider placing the following note (signed and dated) on the site plan to authorize minor amendment to the plan in the future:

I consent to the reproduction of this site plan provided that if modifications are made, the professionals who make such changes assume full responsibility and liability for the modified portions of the plan.

Rich Barber — 10/16/2020
SIGNATURE OF COPYRIGHT OWNER — DATE

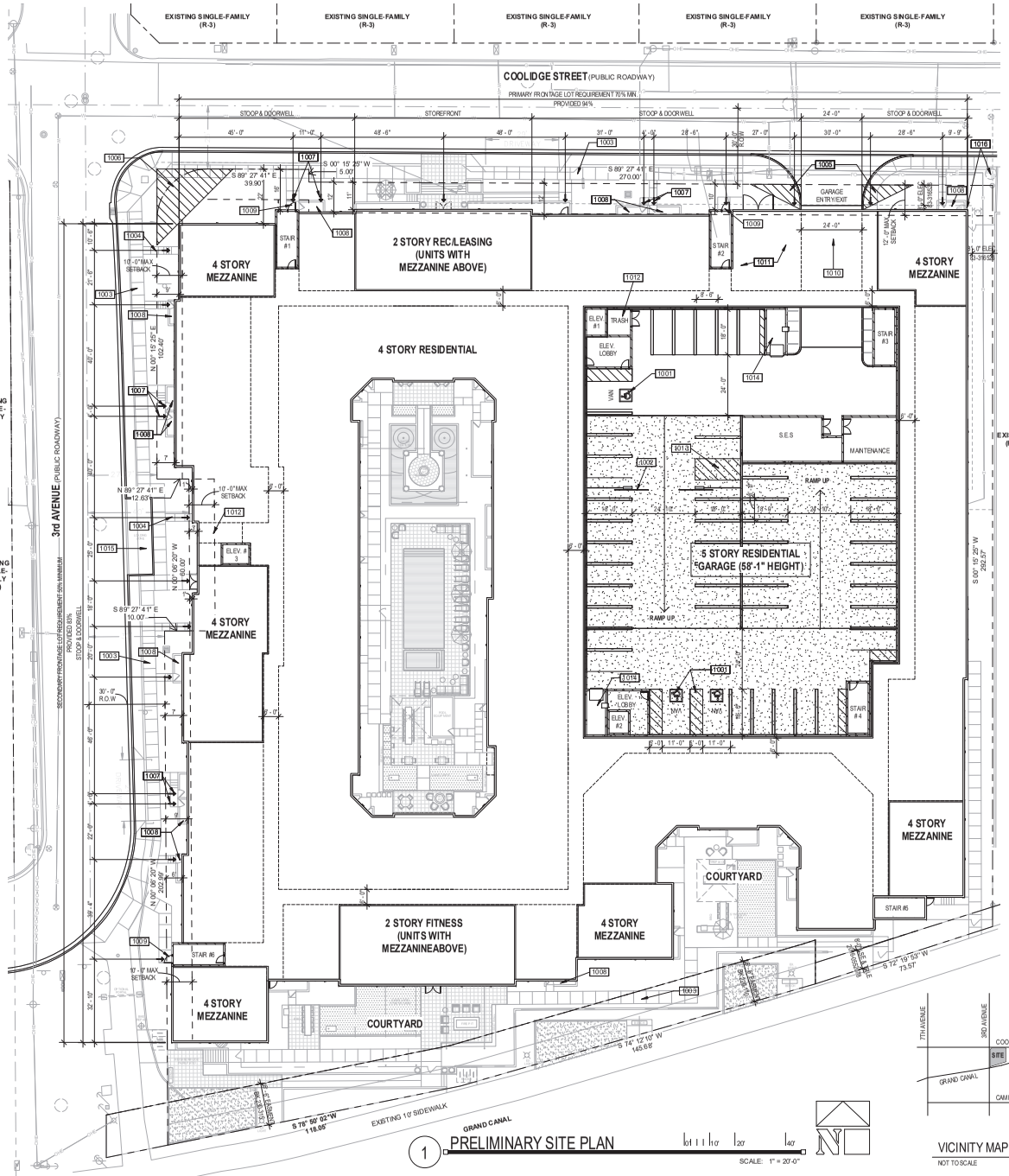
Rich Barber
PRINTED NAME OF COPYRIGHT OWNER

SOLID WASTE NOTES

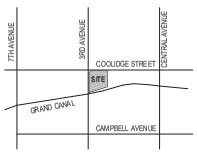
SOLID WASTE NARRATIVE:
TRASH CHUTES ARE LOCATED IN THE PARKING GARAGE ON ALL FLOORS AND AN ADDITIONAL CHUTE LOCATED ON THE WEST SIDE OF BUILDING.

TRASH TERMINATION ROOMS ARE LOCATED IN PARKING GARAGE AT GRADE LEVEL AND ON WEST SIDE OF BUILDING WHERE TRASH IS COMPACTED AND PLACED INTO 2 YD BINS. TRASH BINS ARE TAKEN TO HOLDING ROOM LOCATED AT GRADE LEVEL ON NORTH SIDE OF GARAGE. HOLDING ROOM IS COMPLETELY ENCLOSED AND SCREENED WITH GATES (SEE ELEVATIONS). ON TRASH PICK UP DAYS BINS ARE TAKEN OUT BY STAFF TO PROVIDED STAGING AREA FOR COLLECTION. 6YD RECYCLE BIN WILL BE PROVIDED IN GARAGE ACCESSIBLE TO ALL RESIDENTS. RECYCLE BIN WILL BE ROLLED OUT ON PICK UP DAY TO STAGING AREA.

REQUIRED SOLID WASTE CAPACITY:
(2 MINI TRASH COMPACTORS ARE LOCATED IN THE PARKING GARAGE LEVEL 1. EACH COMPACTOR COMPACTS TRASH INTO 2YD BINS.
(1) MINI TRASH COMPACTOR IS LOCATED ON LEVEL 1 (WEST SIDE OF BUILDING). COMPACTOR COMPACTS TRASH INTO 2YD BINS.
.5 CUBIC YARDS PER UNIT. 2.1890 .5 = 1109 CY. SERVICED TWICE PER WEEK = 109.2÷65 CY. COMPACTION OF 3.1 = 19 CY PER SERVICE TWICE PER WEEK.
10 CY PER SERVICE/2 CY PER BIN = MIN OF 5 BINS IN HOLDING ROOM.
A SINGLE 6 CY RECYCLE BIN ARE LOCATED IN GARAGE NEAR MAIN ENTRY. SERVICE WILL BE BASED ON USE AND BUILDING OCCUPANCY.



1 PRELIMINARY SITE PLAN
SCALE: 1" = 20'-0"



VICINITY MAP
NOT TO SCALE

DEVELOPMENT DATA

PROJECT DESCRIPTION:

TRINSIC RESIDENTIAL GROUP INTENDS TO DEVELOP AN EXCEPTIONAL 218 UNIT MULTI-FAMILY RESIDENTIAL (FOR RENT) PROPERTY LOCATED ON THE SOUTHEAST CORNER OF 3RD AVENUE AND COOLIDGE STREET.

ZONING:
CURRENT: R-5
PROPOSED: WU TS 5

DENSITY:
PROPOSED:
85.49 D.U./ACRE (2.18 UNITS)

APN #:
155-29-068B

LOT AREA

GROSS:	142,789 SF	3.278 acres
NET:	111,308 SF	2.555 acres

AMMENITIES:
POOL, SPA, FITNESS.
RECREATION CLUB ROOM, BIKE STORAGE.

CONSTRUCTION TYPE:
PARKING GARAGE: IA
RESIDENTIAL: VA
BUILDING HEIGHT:
MAX: 56 FEET
PROVIDED: 56 FEET

SET BACKS: PER CHAPTER. 1303.2 TRANSECT T5

PRIMARY FRONTAGE (COOLIDGE):	12' MAX.
SECONDARY FRONTAGE (3rd AVE.):	10' MAX.
SIDE LOT LINE (EAST):	0' MIN.

UNIT MIX:

STUDIO	46
1 BED ROOM	116
2 BED ROOM	56
TOTAL UNITS	218

BUILDING AREAS:

LEVEL L1	BUILDING AREA	58,885 SF
LEVEL L2	BUILDING AREA	56,837 SF
LEVEL L3	BUILDING AREA	60,276 SF
LEVEL L4	BUILDING AREA	60,276 SF
TOTAL		236,275 SF

- ALL UNITS SHALL BE OF AT LEAST ANSI TYPE 'B' ACCESSIBILITY STANDARDS
- 2% OF UNITS TO BE ANSI TYPE 'A' ACCESSIBILITY STANDARDS

GARAGE BUILDING AREAS:

LEVEL L1	GARAGE AREA	21,661 SF
LEVEL L2	GARAGE AREA	20,634 SF
LEVEL L3	GARAGE AREA	20,634 SF
LEVEL L4	GARAGE AREA	20,634 SF
GARAGE LEVEL L5	GARAGE AREA	20,634 SF
LEVEL L6 (GARAGE)	GARAGE AREA	5,276 SF
TOTAL		109,414 SF

LOT COVERAGE

AREA PROVIDED:	80,485
SITE NET AREA:	111,308
PERCENT PROVIDED:	73%

PRIMARY FRONTAGE REQUIRED MINIMUM 70%
PROVIDED : 317/330' = 94 %

SECONDARY FRONTAGE REQUIRED MINIMUM 50%
PROVIDED: 322.08/ ' = 83%

OPEN SPACE:

REQUIRED:	5% OF GROSS ACREAGE
(SEC 1310)	
AREA PROVIDED:	
CENTER COURTYARD:	9,159 S.F.
SOUTH COURTYARD:	7,789 S.F.
TOTAL:	16,948 SF
SITE GROSS AREA:	142,789
PERCENT PROVIDED:	16,948 S.F. / 142,789 S.F. = 12%

PARKING:

REQUIRED:
1.3 SPACES PER STUDIO — 46 x 1.3 = 60
1.5 SPACES PER 1&2 BED — 172 x1.5 = 258
TOTAL REQUIRED: 318 P.S

REDUCTION:
10% REDUCTION FOR PROXIMITY TO LIGHT RAIL STATION (1.320')
3.18 P.S. x .90 = 287 REQUIRED SPACES

PROVIDED :

PROSPECTIVE /RESIDENT	11
RESIDENT GARAGE	292
TOTAL PROVIDED	303

ACCESSIBLE PARKING: (INCLUDED IN COUNT)
REQUIRED: 318/02 = 7

GARAGE L1 3 PS (2 VAN ACCESIBLE)
GARAGE L2 2PS
GARAGE L3 2PS

PROVIDED: 7 PS (2 VAN ACCESIBLE)

GLAZING :

REQUIRED PER TABLE 1303.2 TRANSECT T4 :
MINIMUM 25% GROUND FLOOR FRONTAGE: 317.3' X 9 = 1,556.2 SF.

GLAZING	657 SF

PROVIDED:
657 SF / 1,556.2 SF = 43%

FIRE SPRINKLERS:
NFPA 13

BUILDING FRONTAGE ENTRY REQUIREMENTS:
REQUIRED (TRANSECT T5):
PRIMARY BUILDING FRONTAGE 1/50'
SECONDARY BUILDING FRONTAGE 1/80'

KEYNOTES

1001 ACCESSIBLE GARAGE SPACE 18' x 11'.
1002 VEHICULAR SLIDING GATE.
1003 5' SIDEWALK SEE LANDSCAPE.
1004 3' SIDEWALK SEE LANDSCAPE.
1005 20'x10' SIGHT VISIBILITY TRIANGLE.
1006 33'x33' SIGHT VISIBILITY TRIANGLE.
1007 BUILDING ENTRY/EXIT.
1008 EXTENDED PATIO/STOOPS.
1009 ENTRY STAIR.
1010 GARAGE ENTRY AT GROUND LEVEL WITH RESIDENTIAL UNITS LEVELS 2-4.
1011 TRASH HOLDING ROOM FULLY SCREENED AT GROUND LEVEL WITH RESIDENTIAL UNITS LEVEL 2-4 - SEE SOLID WASTE NARRATIVE THIS SHEET.
1012 TRASH COMPACTOR.
1013 VEHICULAR TURN AROUND SPACE.
1014 MECHANICAL VENTILATION SHAFT.
1015 10'x 30' LOADING ZONE. ONE LOADING BAY REQUIRED PER WU CODE TABLE 1307.2.
1016 EXHISTING FIRE HYDRANT.

CITY OF PHOENIX
OCT 19 2020
Planning & Development Department

KIVA PROJECT: 20-3452
SDEV #: 2007876
FACT #: 2013599
PAPP:
QS:

AURA COOLIDGE

3RD AVENUE AND COOLIDGE
PHOENIX, AZ 85013

Office of Rich Barber Architecture, LLC
ORB
WorldHQ@ORBArch.com
Rich Barber
10 16 2020
Expires 9/30/2021

REVISIONS/ SUBMITTALS

DATE	DESCRIPTION

DATE: OCTOBER 16, 2020 ORB #: 20212

A1.10

PRELIMINARY SITE PLAN

10/17/2020 2:18:11 PM
BIM 360://20-212 Aura Coolidge/20212_Aura Coolidge.rvt



1 NORTH ELEVATION
COOLIDGE STREET
SCALE: 1/16" = 1'-0"



2 SOUTH ELEVATION
SCALE: 1/16" = 1'-0"



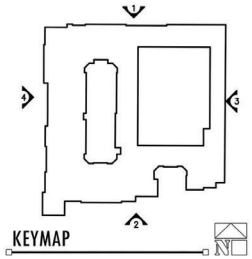
3 EAST ELEVATION
SCALE: 1/16" = 1'-0"



4 WEST ELEVATION
3RD AVENUE
SCALE: 1/16" = 1'-0"

MATERIAL KEY NOTES:

- (A) STUCCO FINISH DUNN EDWARDS DEW380 "WHITE" LRV 93
- (B) STUCCO FINISH DUNN EDWARDS DE6213 "FINE GRAIN" LRV 59
- (C) STUCCO FINISH DUNN EDWARDS DE6376 "LOOKING GLASS" LRV 23
- (D) STUCCO FINISH DUNN EDWARDS DE6379 "JET" LRV 9
- (E) STUCCO FINISH DUNN EDWARDS DET459 "RED ROOSTER" LRV 11
- (F) CANOPIES PAINTED, COLOR DUNN EDWARDS DE6378 "JET" LRV 9
- (G) BLOCK WALL – "PRECISION" COLOR: RED ROCK – NW SEDONA RED, SIZE: 8"X8"X16"
- (H) MECHANICAL EQUIPMENT SCREENED BY PARAPET
- (I) SERVICE DOOR, COLOR TO MATCH ADJACENT WALL
- (J) 2x2 WIRE MESH BALCONY RAILING, PAINTED DUNN EDWARDS DE6378 "JET" LRV 9
- (K) STONE VENEER CORONADO STONE " THE GETTY STONE" 16" X 24" COLOR "BLACK FOREST"
- (L) HARDY PLANK PAINTED DEW380 "WHITE" LRV 93
- (M) HARDY PLANK PAINTED DE6376 "LOOKING GLASS" LRV 23



KEYMAP

KIVA PROJECT: 20-3452
SDEV #: 2007876
FACT #: 2013599
PAPP:
QS:

CITY OF PHOENIX
OCT 19 2020
Planning & Development Department

AURA UPTOWN

3RD AVENUE AND COOLIDGE
PHOENIX, ARIZONA 85013

Office of Rich Barber Architecture, LLC
ORB
WorldHQ@ORBArch.com
15213 Rich Barber
Expires: 3/31/2021

PRELIMINARY NOT FOR CONSTRUCTION

REVISIONS

DATE: OCTOBER 16, 2020 ORB # 20-212

A3.40

PRELIMINARY COLOR ELEVATIONS

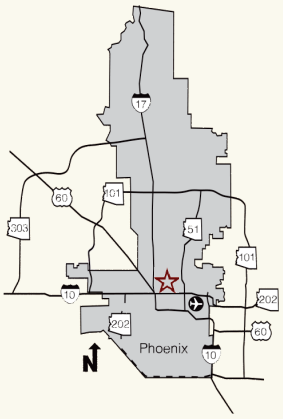
FILE: T:\Jobs\ORB Job Files\20-212_1R_AURA Coolidge\CAD Files\Preliminary\20212 A3.40 ColorElevations.dwg USER: FJ DATE: Oct. 19 2020 TIME: 08:28 am

City of Phoenix Employment Center Profile

NORTH CENTRAL

The North Central employment center offers an exceptional location in one of the city's premier office corridors.

This employment center extends from McDowell Road north to Camelback Road between Seventh Street and Seventh Avenue. The North Central area includes high-rise office and residential buildings surrounded by historic single family neighborhoods, parks and cultural amenities.



- Access to a large executive and professional workforce
- Advanced telecommunications infrastructure
- Large inventory of office space
- Competitive lease rates
- Superior accessibility to key business and financial services

Labor Force Accessibility and Skills

The North Central employment center offers excellent access to a large portion of the metro area's 1.7 million workers. Approximately 770,000 young, well-educated workers reside within a 30 minute drive time.[1] High concentrations of service and health care workers live within 10 to 20 minutes. In addition, about 16 percent of the workforce living within a 20 minute drive time is made up of executives, managers and technical professionals.[2]

Projected growth for this area will result in close to 170,000 new residents within a 30 minute drive time by 2020, providing a continually expanding labor pool.[3]

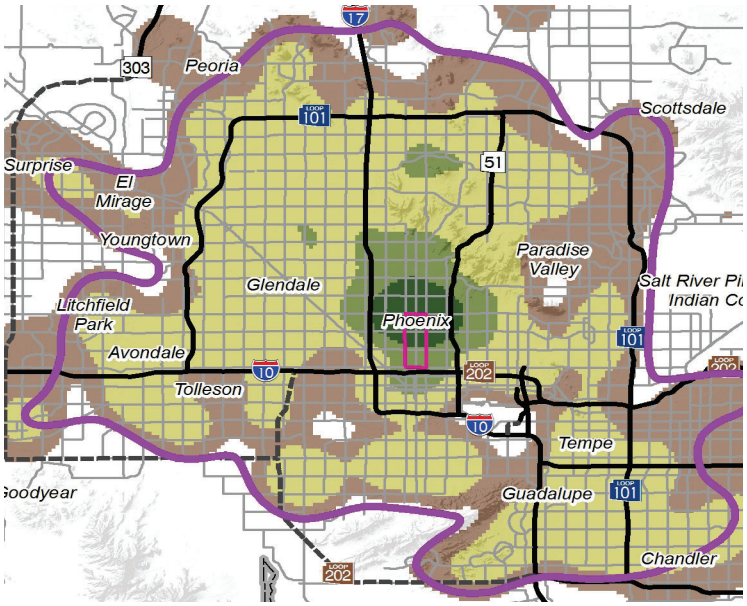
1, 2, 3 Claritas, 2015.

Employment by Occupation

Workforce	10 Min. Drive		20 Min. Drive		30 Min. Drive	
	Number	%	Number	%	Number	%
Management	7,416	7	57,595	8	131,498	9
Engineering & Science	2,224	2	16,777	2	36,046	3
Healthcare & Education	11,089	10	82,493	11	170,387	12
Service	16,173	15	109,119	15	195,911	14
Sales	10,112	9	81,075	11	167,369	12
Clerical & Admin. Support	15,143	14	117,524	16	219,346	16
Construction	8,978	8	48,001	6	71,611	5
Production	6,210	6	39,874	5	64,441	5
Trans./Material Mover	6,373	6	46,614	6	76,283	5
Total	**83,718**		**599,072**		**1,132,892**	

Source: Claritas, 2015.

Commute Shed



Commuters who travel to Employment Corridor per Square Mile

- 4 to 10
- 10 to 25
- 25 to 50
- More than 50
- Phoenix North Central Job Center
- Phoenix North Central Job Center Catchment Area

Source: Maricopa Association of Governments, TRP Reduction Database, 2013

Equal Opportunity Employer/Program. Auxiliary Aids and services are available upon request to individuals with disabilities. Products and services made available through Federal Funding provided by the Workforce Investment Act.

Sites and Buildings

The North Central employment center offers a **large inventory of office and commercial space** mixed with a variety of hotel and residential developments. From high-rise office buildings and condominiums to palm tree-lined streets of historic single-family neighborhoods, diversity enhances the appeal of this conveniently located area.

The area has about **14.5 million square feet of existing office space** in close proximity to downtown. For companies that require build-to-suit space, there are prime commercial high-rise parcels available.[4]

The map to the right highlights the type of community real estate in the North Central area. Our team can provide more detail, custom information based on your requirements.

4 CoStar Realty Information Inc., 2015

Connectivity

The North Central employment center features modern, **reliable telecommunications infrastructure** that is supported by multiple providers. These providers are able to offer specialized capabilities such as complete digital infrastructure, T-1 (DS1) lines, T-3 (DS3) lines, self-healing fiber ring architecture and high-speed data communications. Local exchange carriers with service in the North Central area include CenturyLink and Cox Communications.

Infrastracture

Abundant and reliable power sources are available from a highly advanced network system that provides redundant feeds from multiple sub-stations.

The North Central employment center enjoys easy access to a **modern network of urban freeways and arterial streets**. This employment center has excellent transit service and is located along the **METRO light rail** transit line that connects the area to downtown Phoenix, Phoenix Sky Harbor International Airport and surrounding cities.

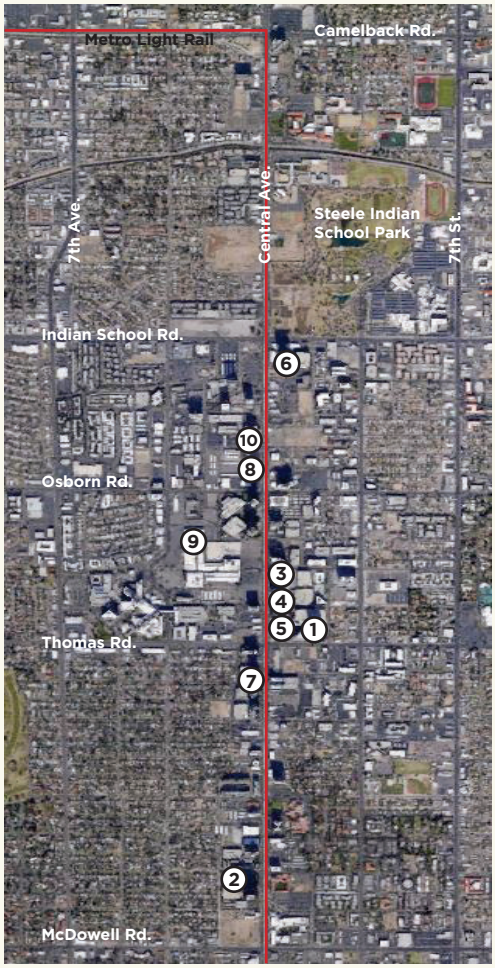
For businesses that require convenient air access, **Phoenix Sky Harbor International Airport** is located just 15 minutes away. The airport is one of the busiest in the U.S. based on passenger traffic and offers more than **830 daily non-stop flights** to nearly 80 domestic destinations and 13 international destinations.[5]

5 Phoenix Sky Harbor International Airport, 2015.

Existing and Planned Development

1. Century Link Tower
586,403 sq. ft.
Office
2. Viad Tower Phase II
478,488 sq. ft.
Office - Proposed
3. Phoenix Corporate Tower
445,811 sq. ft.
Office
4. Phoenix Plaza Tower II
419,453 sq. ft.
Office
5. Phoenix Plaza Tower I
418,613 sq. ft.
Office
6. Younan Central Plaza
405,693
Office
7. 2800 Tower
364,533 sq. ft.
Office
8. 3550 Tower
287,269 sq. ft.
Office
9. Park Central - Bldg 7
224,953 sq. ft.
Office
10. Security Title Plaza
219,032 sq. ft.
Office

Source: CoStar Realty Information Inc., 2015



Amenities and Attractions

The exciting **Phoenix Arts District** includes the Phoenix Art Museum and Theater, the Playhouse on the Park and the internationally renowned Heard Museum of Native American Art. Steele Indian School Park, located at the northeast corner of Central Avenue and Indian School Road, features an expansive 15-acre entry garden, several historical buildings depicting the history of Phoenix Indian School, an amphitheater with seating for 1,500, a 2.5-acre bird-shaped lake and waterfall and a 15-acre neighborhood park. Located in the heart of the North Central employment center, Park Central is a 500,000 square foot mixed-use redevelopment featuring offices, retail, restaurants and business-oriented hotels. In addition, there are a number of **new luxury apartment developments** in the area that provide a variety of housing options for workers and support continued office and retail development.

Major Area Employers

CenturyLink
Telecommunications
Deloitte LLP
Accounting and Management Consulting
Fennemore Craig
Law Firm
SCF Arizona
Direct Property and Casuality Insurance - HQ
Viad Corporation
Business Services - HQ
PricewaterhouseCoopers
Accounting and Management Consulting
Dignity Health
Hospital Administration
IBM Corporation
Administrative Operations
U-Haul International
Leasing Services - Corp. HQ
Xerox Corporation
Copiers and Office Products
BMO Harris Bank
Banking and Financial Services

Source: Maricopa Association of Governments, 2013



City of Phoenix
Community and Economic Development Department
200 W. Washington St., 20th Floor | Phoenix, AZ 85003
www.phoenix.gov/econdev | 602-262-5040

From: Adam Ghiz
To: Nick Klimek
Cc: ben@witheymorris.com
Subject: Re: Z-56-20 (3rd Avenue and Coolidge)
Date: Tuesday, November 3, 2020 12:07:07 PM

One Additional concern.

The large grassy area on the corner of 3rd and Coolidge has been used for years by the neighborhood as a makeshift park. Families have used this area for recreation with their children and pets. It provides for a grassy green area, in an otherwise paved jungle. You will be taking this away from all residents, and instead of providing more greenery, will be adding more concrete.

~Adam

> On Nov 3, 2020, at 11:51 AM, Adam Ghiz <a.ghiz@me.com> wrote:
>
> Here are my concerns for this project:
>
> 1. 56ft building height allowed by T5:5
> 2. 10 ft setback from current sidewalk, this in combination of the height will basically provide for an entire block of apartments from the canal to Coolidge looking directly over my fence and into my yard and house.
> 3. Noise, this is an extremely quiet section and adding an additional 218 housing units will greatly increase the noise factor of the neighborhood.
> 4. Traffic. Hazelwood turns into 3rd ave and as a result, there is a very low traffic density. Even with the the garage entry on Coolidge, traffic is going to greatly increase on these streets and most likely all street parking with cease to exist.
> 5. Saturation. There are already 5 or 6 (possibly even more) high density apartment complexes in this immediate area. Adding yet another complex will adversely and disproportionately affect this neighborhood vs other neighborhoods.
> 6. Historic district. This complex is almost surrounded on the 3rd ave and Coolidge street sections by the Pierson Place Historic district. Constructing this large complex when surrounded by a historic district diminishes the intention of having a historic district. The proposed elevations are quoted as “blending in” yet it looks like every other apartment complex built.
>
> This project adversely affects my property disproportionately as I am on the corner of 3rd and Hazelwood and this apartment complex will be towering over my house, and on the entire east side of my property I will now stare at 56ft of apartment building.
>
> ~Adam
>
> > On Nov 3, 2020, at 11:18 AM, Nick Klimek <nick.klimek@phoenix.gov> wrote:

Good morning, Adam –

I apologize but I believe I failed to answer one of your primary questions, expressed via Maura, regarding whether the property is currently approved for development. The answer is both yes and no… please allow me to explain.

The property is currently zoned R-5 which generally means they could build to a height of 48 feet.

However, the applicant has elected to pursue additional zoning entitlement under the Walkable Urban Code. The process will take 4-6 months and include 3 public hearings and a neighborhood meeting. During this process, the site plan may change and evolve in response to community concerns and priorities. I recommend putting your concerns in writing and sending them over to me. I also suggest reaching out to the applicant's representative, Ben Tate, to express yours concerns early on.

In the coming weeks, I will be reviewing the proposal in greater detail.

Kind regards,

Nick



Nick Klimek, AICP
Village Planner
Office: 602-534-7696
E-mail: nick.klimek@phoenix.gov

City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Mission: Planning, Development and Preservation for a Better Phoenix

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: Adam Ghiz <a.ghiz@me.com>
Sent: Tuesday, November 3, 2020 10:45 AM
To: Nick Klimek <nick.klimek@phoenix.gov>

Subject: Re: Z-56-20 (3rd Avenue and Coolidge)

Thanks for the response. So I am in the house directly across from this and will be affected greatly as most of my exposure is to the east where the current donor network building is. This picture is what I see from most of my house. I estimate that these trees are approximately 30ft tall and from what I have seen, it looks like the building will be 56ft tall. Also, correct me if I am wrong, but the building will only be setback 10 ft from the current sidewalk?

If this is the case, how can I expect any modicum of privacy? Not to mention, that all I will be able to see from my windows will now be building.

How does a project this large get approved so close to a historic residential neighborhood? It destroys any point in trying to preserve the original feel of the neighborhood.

I am greatly distressed by this news and also would like to know if there is an estimated time when construction will begin.

Thanks,
Adam

<image003.jpg>

> On Nov 3, 2020, at 10:38 AM, Nick Klimek <nick.klimek@phoenix.gov> wrote:
>
> Good morning, Mr. Ghiz –
>
> My name is Nick Klimek and I am the Alhambra Village Planner. I received your contact information from Maura Jackson from our Historic Preservation Office. Please feel free to send any written comments to me and I will ensure they be provided to the applicant and included with the staff report as the request is processed; in your email, please reference the case number Z-56-20.
>
> If you would like to discuss, please feel free to call me at the below number but please note that the request is very new so I may be light on exact details regarding the site plan.
>
> Kind regards,

Nick

Nick Klimek, AICP
Village Planner
Office: 602-534-7696
E-mail: nick.klimek@phoenix.gov

City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Mission: Planning, Development and Preservation for a Better Phoenix

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.

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

ADDENDUM A
Staff Report: Z-56-20-4
May 4, 2021

Alhambra Village Planning Committee Meeting Date:	January 26, 2021
Planning Commission Hearing Date:	February 4, 2021 May 6, 2021
Request From:	R-3 (Multifamily Residence District) (0.18 acres) and R-5 (Multifamily Residence District) (3.11 acres)
Request To:	PUD (Planned Unit Development) (3.29 acres)
Proposed Use:	Multifamily Residential
Location:	Southeast corner of 3rd Avenue and Coolidge Street
Owner:	Donor Network of Arizona
Applicant:	Trinsic Residential Group, Todd Gosselink
Representative:	Withey Morris PLC, Jason Morris
Staff Recommendation:	Approval, subject to stipulations

BACKGROUND
The original proposal requested to rezone the subject site at the southeast corner of 3rd Avenue and Coolidge from R-3 (Multifamily Residence District) and R-5 (Multifamily Residence District) to WU Code T5:5 UT (Walkable Urban Code Transect 5:5, Uptown Transit Character Area) for multifamily residential.

The proposal was to redevelop the existing office property into a four-story multifamily structure with a limited fifth floor mezzanine. Staff recommended approval of the request subject to 13 stipulations.

On January 26, 2021, the Alhambra Village Planning Committee heard the case and recommended approval per the staff recommendation by a 15 to 1 vote. On February 4, 2021, the Planning Commission heard the case and recommended approval per the

Alhambra Village Planning Committee recommendation by a 7 to 1 vote with one additional stipulation. The added stipulation was for the execution of a Proposition 207 Waiver.

After the Planning Commission Meeting, the case was continued by the City Council on March 3rd to allow for additional communication regarding concerns. A series of meetings were then held to discuss concerns regarding height, setbacks, number of units, traffic, privacy, and flooding.

On April 7, 2021, Councilwoman Pastor moved that the case be remanded back to the Planning Commission as a Planned Unit Development (PUD) with conditions to address community concerns. The motion passed unanimously and included the following conditions for the PUD resubmittal.

1. To address all staff stipulations and the following items based on discussions with the neighborhood.
2. To include an overall maximum building height of 48 feet, except for the parking garage which shall be limited to 56 feet.
3. To include a minimum setback of 20 feet between the curb and the building faces on both Coolidge Street and 3rd Avenue.
4. To restrict the maximum number of dwelling units to 210.
5. To prohibit vehicular access to 3rd Avenue.
6. To require the applicable “frontage types” be identified along 3rd Avenue.
7. To address landscape and design features in response to neighborhood considerations on 3rd Avenue and Coolidge Street.
8. To require permit parking throughout the neighborhood.

PROPOSAL

The PUD is intended to create a built environment that is superior to that produced by conventional zoning districts and design guidelines. Where the PUD Development Narrative is silent on a requirement, the applicable Zoning Ordinance provisions will be applied.

Below is a summary of the proposed standards for the subject site as described in the attached PUD Development Narrative date stamped April 29, 2021.
The PUD would allow the development of a five story multifamily development Development but with notable revisions to the original request in response to community concerns and the City Council motion.

Permitted Land Uses

The PUD utilizes the Permitted Use List found in Chapter 618 for R-5 (Multifamily Residence District) with modifications to remove specified uses for the purposes of promoting neighborhood compatibility.

The land uses prohibited by the PUD include the following: bed and breakfast establishment; boarding house; group foster home; hotel or motel; environmental remediation facility; branch offices for the following: banks, building and loan associations, brokerage houses, savings and loan associations, finance companies, title insurance companies and trust companies; and veterinary offices.

Development Standards

Density: A maximum of 210 dwelling units.

Building Height: A maximum height of 48 feet along 3rd Avenue and Coolidge Street and a maximum height of 56 feet for the parking structure. The proposed regulation in the applicant's narrative is not precisely aligned with the motion which would require all buildings be limited to 48 feet with only the parking structure being allow the 56 feet maximum. Stipulation 1.b. revises the requirement to align with the City Council motion.

Building Setbacks: A minimum setback of 20 feet from both 3rd Avenue and Coolidge Streets, as measured between the back of curb and the building front.

Landscape Setbacks: A minimum setback of 20 feet from both 3rd Avenue and Coolidge Streets, as measured between the back of curb and the building front.

Planting Standards: The planting standards meet or exceed the requirements of the Walkable Urban Code and the original stipulations for the all perimeters of the subject site.

Vehicular Access: No vehicular access is permitted from 3rd Avenue.

Detached Sidewalks and Pedestrian Ways: The PUD requires the public sidewalks be detached from the back of curb by a minimum 5 foot landscape area that will be planted with four inch caliper (25 percent), three inch caliper (25 percent) and two inch caliper (50 percent) trees at a rate of 20 feet on center. These standards will create 75 percent shade over the public sidewalk and meet or exceed the requirements of the Walkable Urban Code and the original stipulations.

Ground Level Frontage Types:

- North and West: The PUD requires that 70 percent of the ground level building face oriented to 3rd Avenue have stoops and doorwells, patios, and/or porches.
- South (Grand Canal Orientation): The PUD requires 20 percent of the ground level building face oriented to the south conform to a frontage type.

Design Guidelines

The PUD incorporates all staff stipulations detailed in the recommendations of the Alhambra Village Planning Committee and the Planning Commission. These stipulations pertained to open space design, planting standards, architectural enhancements and restrictions, and required frontage types. The PUD incorporates each of these stipulations. Additionally, the PUD prohibits balconies to the north and west unless "juliet" style.

ANALYSIS

The current rezoning request fulfills the abovementioned City Council direction of filing for a PUD and the associated requirements with the below modifications:

Height: The PUD Narrative proposes a maximum height of 48 feet along 3rd Avenue and Coolidge Street compared to the motion which would restrict all buildings to 48 feet and the parking structure to 56 feet.

- Stipulation No. 1.b revises the PUD to align with the City Council motion.

South Facing "Frontage Types" and Publicly Accessible Open Space: The PUD Narrative proposes that 20 percent of the total building face be developed with "frontage types" to activate the space between the building and the canal; while this is a reduction from the original stipulation which required 40 percent, the applicant has compensated for the change by adding publicly accessible open space along the canal as requested through the public hearing process.

In order to ensure that the publicly accessible open space is provided, a modification to the development narrative has been added to dictate requirements for a publicly accessible open space, that will be landscaped and programmed with amenities.

- Stipulation No. 1.c. revises the PUD to include additional publicly accessible open space adjacent to the canal with a depth of 25 feet for the majority of the southern property line and programmed with amenities such as benches and shade structures.

Permit Parking in the Neighborhood: The applicant has indicated their intent to implement permit parking for their residents, however, this program is off-site and therefore cannot be stipulated.

Staff recommends approval subject to the following revised stipulations:

1.* ~~The south facing mass of the building(s) oriented to the Grand Canal shall incorporate Walkable Urban Code Frontage Types described in Section 1305 for a minimum 40 percent of the building face(s), as approved by the Planning and Development Department. For the purpose applying the above provisions, the above shall be treated as a Secondary Frontage with regard to glazing.~~

AN UPDATED DEVELOPMENT NARRATIVE FOR THE AURA UPTOWN 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 APRIL 29, 2021, AS MODIFIED BY THE FOLLOWING STIPULATIONS:

a. FRONT COVER: REVISE THE SUBMITTAL DATE INFORMATION ON THE BOTTOM TO ADD THE FOLLOWING: CITY COUNCIL ADOPTED: [ADD ADOPTION DATE].

b. PAGE 8, DEVELOPMENT STANDARDS TABLE, BUILDING HEIGHT: MODIFY BUILDING HEIGHT STANDARD TO READ AS FOLLOWS: A MAXIMUM HEIGHT OF 48 FEET FOR ALL BUILDINGS EXCEPT FOR THE PARKING GARAGE WHICH SHALL BE A MAXIMUM HEIGHT OF 56 FEET."

c. PAGE 9, LANDSCAPE DEVELOPMENT STANDARDS TABLE, CANALSCAPE; MODIFY THE FIRST BULLET POINT TO READ AS FOLLOWS: A PUBLICLY ACCESSIBLE LANDSCAPED GREENSPACE AREA SHALL BE PROVIDED ADJACENT TO THE ARIZONA GRAND CANAL TRAIL ON THE SOUTH SIDE OF THE PROPERTY. AT MINIMUM, THE GREEN SPACE AREA WILL MEASURE 4,800 SQUARE FEET, 15 FEET IN DEPTH FOR A DISTANCE OF 260 FEET, 7 FEET IN DEPTH FOR A DISTANCE OF 70 FEET, AND SHALL BE GENERALLY CONSISTENT WITH THE LANDSCAPE PLAN IN EXHIBIT 7. A MINIMUM OF 3 PEDESTRIAN AMENITIES, WHICH COULD INCLUDE BUT ARE NOT LIMITED TO, BENCHES AND SHADE CANOPIES SHALL BE PROVIDED WITHIN THE LANDSCAPE AREA.

~~2. The south facing mass of the building(s) oriented to the Grand Canal shall contain architectural embellishments, design detailing, and / or space programming to activate and provide visual access onto the canal, as approved by the Planning and Development Department. Examples of appropriate enhancements may include textural changes, offsets, recesses, variation in window size and location, overhang canopies, balconies with a depth greater of than 3 feet, and amenities such as gathering spaces.~~

~~3. Between the southern mass of the building and the south property line (the Grand Canal right-of-way), the developer shall plant minimum 3-inch caliper, large canopy shade trees, at a minimum frequency of 25 feet on center or in equivalent groupings, as approved or modified by the Planning and Development Department.~~

~~4. The provisions of Section 1310.A.2 of the Phoenix Zoning Ordinance shall apply to require shaded open space of which a minimum 50 percent shall be situated adjacent to the south property line (the Grand Canal right-of-way), as approved or modified by the Planning and Development Department.~~

~~5. No solid perimeter wall greater than 36 inches in height shall be oriented to and located within 30 feet of the south property line (the Grand Canal right-of-way), as approved by the Planning and Development Department.~~

~~6. The developer shall provide traffic calming to slow vehicle traffic exiting the property with specific regard to pedestrian safety on the public sidewalk, as approved by the Planning and Development Department.~~

~~7. The developer shall provide a minimum of two direct and accessible pedestrian connections from the amenity areas located south of the building mass to the shared use path along the Grand Canal Trail, as approved by the Planning and Development Department.~~

~~8. The developer shall provide and maintain the following bicycle infrastructure as described below and as approved by the Planning and Development Department.~~

~~a. A bicycle repair station (fix-it station) along the southern edge of the site, visible, and accessible from the public sidewalk and / or the Grand Canal Trail. The station shall include but not limited to: standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while adjusting the bike.~~

~~b. All required bicycle parking for multifamily use, per Section 1307.H.6.d of the Phoenix Zoning Ordinance, shall be secured parking.~~

~~c. Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 spaces near entrances of buildings and installed per the requirements of Section 1306.H. of the Phoenix Zoning Ordinance.~~

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. This parcel is in a Special Flood Hazard Area (SFHA) called Zone A, on panel 1740 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013. The following requirements shall apply, as approved by the Planning and Development Department:

a. The Architect/Engineer is required to show the floodplain boundary

limits on the Grading and Drainage plan and ensure that impacts to the proposed facilities have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3); this includes, but not limited to provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.

b. A copy of the Grading and Drainage Plan shall be submitted to the Floodplain Management section of Public Works Department for review and approval of Floodplain requirements.

c. The developer shall provide a FEMA approved CLOMR-F or CLOMR prior to issuance of a Grading and Drainage permit.

4. 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.

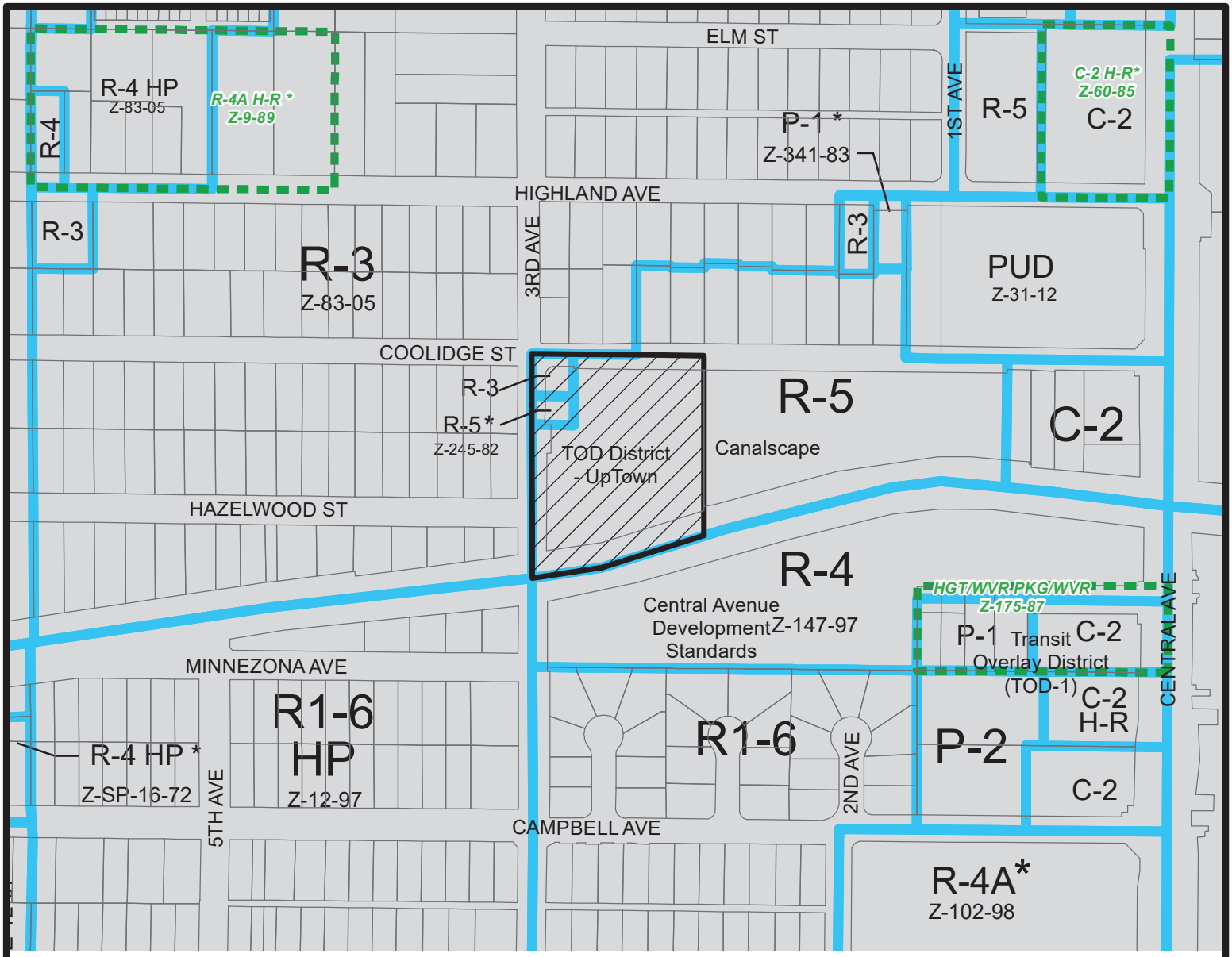
5. The developer shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.

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

Exhibits

Sketch Map
Aerial Sketch Map
Community Correspondence (105 pages)
Z-56-20 Aura Uptown Planned Unit Development date stamped April 29, 2021



Miles

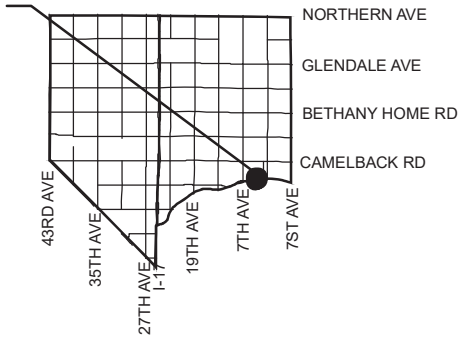
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ALHAMBRA VILLAGE

CITY COUNCIL DISTRICT: 4

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Z-56-20



APPLICANT'S NAME:	Trinsic Residential Group, Todd Gosselin
APPLICATION NO.	Z-56-20
DATE:	10/23/2020
REVISION DATES:	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.	3.29 Acres
AERIAL PHOTO & QUARTER SEC. NO.	QS 18-27
ZONING MAP	H-8

REQUESTED CHANGE:

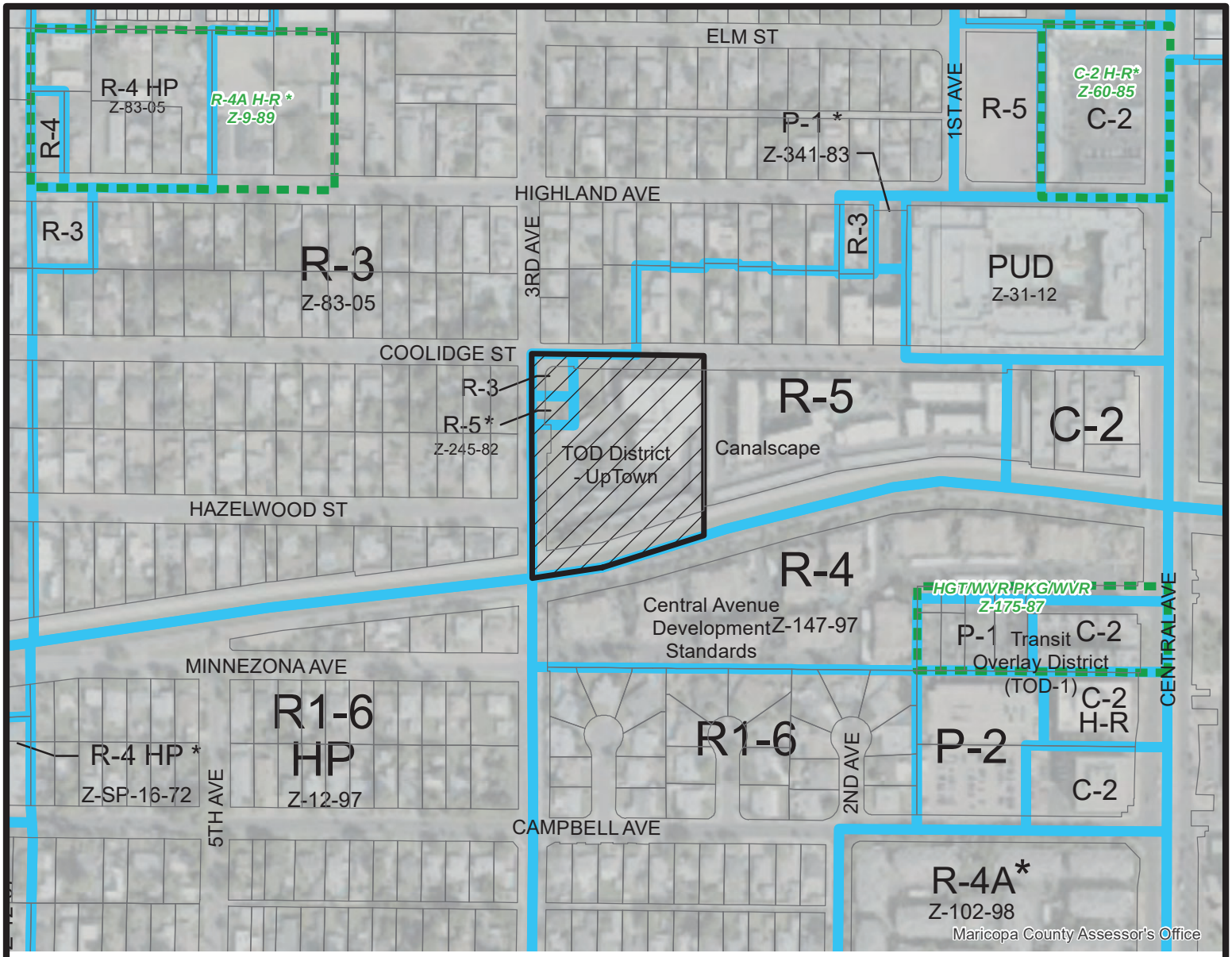
FROM: R-3 (0.18 a.c.)
R-5 (3.11 a.c.)

TO: PUD (3.29 a.c.)

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
R-3, R-5	2, 135	3, 162
PUD	210	N/A

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

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Miles

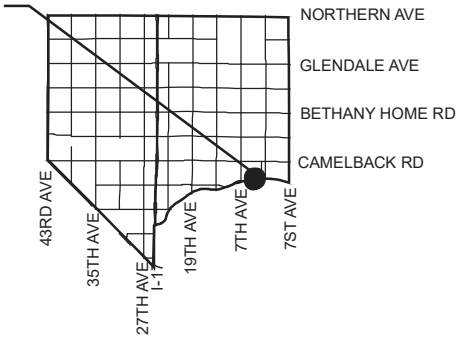
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ALHAMBRA VILLAGE

CITY COUNCIL DISTRICT: 4

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Z-56-20



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R-3, R-5	2, 135	3, 162
PUD	210	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\2020\Z-56-20.mxd

I Support Trinsic Residential Group as It Seeks To Create a More Walkable Phoenix!

Name:

Stefka Darnall

Address:

1205 W. Coolidge St. Phy AS 85013

I Support Trinsic Residential Group as It Seeks To Create a More Walkable Phoenix!

Name: Cheryl Martin

Address:

933 W. Mariposa ST

I Support Trinsic Residential Group as It Seeks To Create a More Walkable Phoenix!

Name:

Jeremy Haber

Address:

602 W Coolidge

Phoenix AZ 85013

I Support Trinsic Residential Group as It Seeks To Create a More Walkable Phoenix!

Name:

Laura and Jill Oden

Address:

4526 N. 10th Ave Phoenix, AZ 85013

I Support Trinsic Residential Group as It Seeks To Create a More Walkable Phoenix!

Name:

KEVIN LOZIER

Address:

539 W. MARIPOSA ST. 85013

I Support Trinsic Residential Group as It Seeks To Create a More Walkable Phoenix!

Name: William Carmichael

Address: 4510 N 12th Ave
Phx Az ~~85~~ 85013

Rcvd 2/2/2021

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

I am a resident of the Pierson Place Historic District, and I am in support of the proposed rezoning of 201 W. Coolidge Street for the development of the Aura Uptown multi-family residential project.

Aura Uptown is a beautiful, well-designed project that is appropriate for the property given the existing multi-family zoning, adjacent development, and placement within the Uptown TOD Plan. I believe this project will provide attractive, walkable, high-quality multi-family housing at a scale and density that is sensitive to the surrounding neighborhoods and community.

This is the type of pedestrian-oriented development envisioned by the Uptown TOD for this Property, and I urge the City Council to approve it.

Sincerely,

Michael t. Hunt

309 West
Pierson St.

Rcvd 2/2/2021

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

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This is the type of pedestrian-oriented development envisioned by the Uptown TOD for this Property, and I urge the City Council to approve it.

Sincerely,

6112 W Coolidge
Phoenix, AZ 85013

Rcvd 2/2/2021

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is the type of pedestrian-oriented development envisioned by the Uptown TOD for this Property, and I urge the City Council to approve it.

Sincerely,

Jordan McKinney
Jordan McKinney
603 W Pierson St
Phoenix AZ 85013

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

I am a resident of the Pierson Place Historic Neighborhood, and I am writing to express my support for particular aspects of the proposed rezoning of 201 W. Coolidge Street for the development of the Aura Uptown multi-family residential project.

Though the height already zoned on this property is a bit out of step with the adjacent housing to the west, a multifamily development is in line with developments east of the site, and its proximity to strong pedestrian, bike, and transit connections makes me optimistic that access for new residents will be multimodal, and not solely auto-oriented.

The proposed project has done a good job orienting toward the canal and maintaining 3rd Ave as a bike and pedestrian space. I appreciate that the project restricts automobile access off 3rd Ave. I also encourage the consideration of a traffic circle or other traffic calming device at Coolidge and 3rd Avenue. My family, including my 3 year-old and 5 year-old, often walk or bike to/from the canal along 3rd Ave, as do many other neighbors and the general population that utilizes the 3rd Ave bike/ped corridor. Because Coolidge connects between Central and 7th Ave, cars using it as a cut through or simply speeding due to the long straight stretch often miss the stop sign at 3rd Ave, creating a dangerous situation for people (and especially children) walking and biking along 3rd Ave. I imagine the increased traffic on Coolidge due to this project will only exacerbate an already unsafe situation at that intersection. Whether this treatment could be considered as part of the upcoming city-planned 3rd Ave bike improvements for this area or included in this development, or shared by both, the quickest way to implement that safety measure would be encouraged by many in our neighborhood. Certainly it should be scheduled for completion prior to the opening of this development.

The loss of the existing mature shade trees is disappointing. If there is any way to preserve or relocate any of those trees, it should be attempted. However, I do appreciate the proposed shade trees along all walkways and the ground floor patios that add visual interest and a break in the walls. As another neighbor suggested, I would encourage confirmation that tall shade trees have enough space to grow in the available landscaping space to provide adequate shade across walkways.

I am sad to lose the big existing green space but I appreciate that the applicant has gone beyond the minimum requirements for public space. Building management is going to have to work hard to maintain all sidewalks and green spaces, but the applicant has provided a nice space along the canal for dogs and people that will be very popular with the neighborhood.

Sincerely,

Gina Thomas
102 W Elm St, Phoenix AZ 85013

Rcvd 2/28/2021

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003
nick.klimek@phoenix.gov

Sent via electronic mail

Re: Aura Uptown / Z-56-20-4

I am a resident of the Carnation neighborhood, live along 3rd Avenue just south of the Grand Canal, and I am in support of the proposed rezoning of 201 W. Coolidge Street for the development of the Aura Uptown multi-family residential project.

We need more housing in Midtown/Uptown Phoenix, especially housing that brings in residents who will use public transit and support our local businesses. Aura Uptown is a well-designed project that is appropriate for our area given the existing multi-family zoning, adjacent development, and placement within the Uptown Transit-Oriented Design Plan. I believe this project will provide attractive, walkable, high-quality multi-family housing at a scale and density that is sensitive to the surrounding neighborhoods and community. I also really appreciate the bicycle-focused amenities required by the stipulations. I am concerned that if this development does not happened, with the included stipulations, that another development will just come in without the required stipulations to improve the canalscape and that is less transit and bike oriented.

The proposed canalscape improvements and amenities will provide an enormous benefit to the community. This is the type of pedestrian and bicycle-oriented development envisioned by the Uptown Transit Oriented Design Plan, and I urge the City Council to approve it.

Sincerely,

Ed Hermes
212 W. Montecito. Ave. Phoenix 85013

Corridor Living
Quality Residences in Central Corridor

CHARLES JONES | President, CEO
198 W. Mariposa St., Ste. 7
Phoenix, AZ 85013

P. 602.359.5095
charcor@cox.net

March 1, 2021

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Aura Uptown Zoning Application, Z-56-20-4

Dear Nick:

In my role as president of Pierson Place Historic District and member (and past chair) of the Alhambra Village Planning Committee - both for many years, I have seen a lot of development near light rail. But even as a private citizen, I would wholeheartedly support the Aura Uptown project.

There are several reasons for this.

1. This project will revitalize (and remove) an office building that doesn't serve any interest in the center of this residential neighborhood.
2. Some amenities in this project will engage with Canalscape and activate the canal bank for the betterment of the community.
3. The upscale nature of the proposed apartments will further revitalize the neighborhood.
4. The large number of studio and 1 bedroom apartments will attract users of public transportation.
5. The front porches at street level will provide a sense of community at this site.

The developer presented the project to our residents in several group meetings, and has met with several of them individually. They adjusted the original plan a few times to accommodate concerns from residents, and have tailored the project to the neighborhood.

Given the existing multi-family zoning, adjacent multi-family uses, and placement within the Uptown TOD Plan, this project is appropriate for the site. I believe it is well-designed and will provide attractive, walkable, high-quality multi-family housing at a scale and density that fits this community.

In short, I think it is exactly the type of development envisioned by the Uptown TOD Plan, and I urge the City Council to approve it.

Sincerely,

Charles Jones
CMJ/ds

CITY OF PHOENIX

MAR 1 8 2021

Planning & Development
Department

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

January 15, 2020

Re: Aura Uptown / Z-56-20-4

I am a resident of the Pierson Place Historic Neighborhood, and I am writing to express my support for the proposed rezoning of 201 W. Coolidge Street for the development of the Aura Uptown multi-family residential project.

Aura Uptown is a beautiful, well-designed project that is appropriate for the property given the existing multi-family zoning, adjacent development, and placement within the Uptown TOD Plan. I met with the applicant via virtual meeting to learn about the proposed development, design, and site layout. The development team spoke with me and my neighbors at length, answering our questions and explaining every detail of the development. I believe this project as briefed will provide attractive, high-quality multi-family housing at a scale and density that is sensitive to the surrounding neighborhoods and community. Their proposal as written, in my view, is more beneficial to the neighborhood than the uncertainty that could come from a new developer that could maximize bedrooms per unit and not consider the upgrades to the canal scape that will benefit the area.

On a more personal note, my family has owned and lived in Pierson Place for almost 30 years, alongside many of the neighbors that are understandably concerned with change. I moved back to Phoenix 2 years ago after years of moving around the world and seeing many large metropolitan areas, and think the changes proposed by Aura are positive ones for my neighborhood. There is a misconception amongst those concerned about this development that the green space along 3rd Avenue and Coolidge is public property and that it can somehow be maintained as a park, an unrealistic expectation. I will say as the community member who volunteers to empty the neighborhood association installed dog waste container at the former Donor Network, that it is largely filled with private picnic trash nobody packs out themselves, and beer cans/bottles presumably left by transients using the space as a hangout after hours. We were fortunate to have Donor Network maintain the green space, but the utopian view by some of this space is just that. Lastly, there are traffic concerns being discussed, but living on Hazelwood it seems most of the problem is people cutting through traffic on 7th Ave to get to Central, not necessarily to or from apartments on Central. I am not a traffic engineer, but this is a city problem to fix that already exists, not one that will come from a future development.

Sincerely,

Sharon D. Mezulis

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

I am a resident of Uptown Phoenix and I am in support of the proposed rezoning of 201 W. Coolidge Street for the development of the Aura Uptown multi-family residential project.

Aura Uptown is a well-designed project that is appropriate for the property given the existing multi-family zoning, adjacent development, and placement within the Uptown Transit Oriented Development Plan. I believe this project will provide attractive, walkable, high-quality multi-family housing at a scale and density that is sensitive to the surrounding neighborhoods and community.

The proposed canalscape improvements and amenities will provide an enormous benefit to the community. This is the type of pedestrian and bicycle-oriented development envisioned by the Uptown TOD Plan, and I urge the City Council to approve it.

Sincerely,

Signature 

Printed Name Kurt Stickler

Address 330 W. Minnezona Ave

City Phx

State AZ

Zip 85013

Phone Number or E-mail 602 312 0664

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

I am a business owner in Uptown Phoenix and I am in support of the proposed rezoning of 201 W. Coolidge Street for the development of the Aura Uptown multi-family residential project.

Aura Uptown is smart development and a well-designed project that will help cultivate the walkable, vibrant environment we are trying to build in Uptown Phoenix. This area is in need of more high-quality residential development with residents that will walk and bike to local restaurants and shops, supporting the local economy and small business owners in the Uptown community.

This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature _____

Printed Name Ivan O'Farrill.

Address 4700 N. Central Ave Ste 100

City Phoenix.

State AZ.

Zip 85012.

Phone Number or E-mail ivan@famecaffe.com

Fame Caffe

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

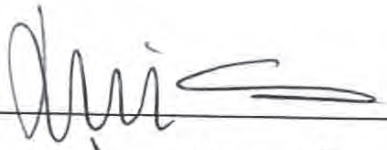
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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature 

Printed Name Jennifer Campo

Address 4620 N. Central Ave

City Phoenix

State AZ

Zip 85012

Phone Number or E-mail 602-279-6247

Hinkley's Lighting

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature _____

Printed Name Ryan Durkin

Address 4130 N. 7th Ave.

City Phoenix

State AZ

Zip 85018

Phone Number or E-mail 602-509-7709

Modern Manor

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

I am a business owner in Uptown Phoenix and I am in support of the proposed rezoning of 201 W. Coolidge Street for the development of the Aura Uptown multi-family residential project.

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature _____

Printed Name BLAISE FABER

Address 4130 N 7TH AVE

City PHX

State AZ

Zip 85013

Phone Number or E-mail blaise@valentinephx.com

VALENTINE

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature _____

Printed Name Victoria Lindley

Address ~~200 West~~ 100 E. Camelback Rd. #188

City Phoenix

State AZ

Zip 85012

Phone Number or E-mail topmuse@shopatmuse.com

Muse

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature _____

Printed Name Carol Meyer

Address 100 E Camelback

City PHX

State AZ

Zip 85012

Phone Number or E-mail ~~602~~ · 6022790906

200k2

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature _____

Printed Name William H. Sandweg

Address 4220 N 7th Ave

City Phoenix

State AZ

Zip 85013

Phone Number or E-mail _____

Copper Star Coffee

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature Joseph Seriale

Printed Name Joseph Seriale

Address 4515 N. 7th Ave

City Phoenix

State Arizona

Zip 85013

Phone Number or E-mail phxchef@AOL.com
602 451-5888 cell

Joe's Diner

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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Sincerely,

Signature E R

Printed Name ERIC RHOADES

Address 413 W. MORROW DR

City PHOENIX, AZ 85027

State AZ

Zip 85027

Phone Number or E-mail ERHOADES@LOUMALNATIS.COM

LOU MALNATI'S

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature _____

Printed Name Yasu Hashino

Address 4700 N Central Av

City ~~Phx~~

State AZ

Zip 85037

Phone Number or E-mail ~~Yasu~~ 602-625-6181.

Ghost Vintage

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature 

Printed Name Cunaro Galaz

Address 6813 N 31st Ave

City Phx

State AZ

Zip 85017

Phone Number or E-mail 480 882-8071
Undefeated.Inc

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature [signature]

Printed Name Lauren Danuser

Address 100 E Camelback Rd.

City Phoenix

State AZ

Zip 85012

Phone Number or E-mail [redacted] 602 441 4378

Local Nomad

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature _____

Printed Name Fritz Wilson

Address 100 E Camelback rd #160

City Phoenix

State Az

Zip 85012

Phone Number or E-mail Fritz@hussbrewing.com

Huss Brewing

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature _____

Printed Name David Cheng

Address 4750 N. Central Ave

City Phoenix

State AZ

Zip 85012

Phone Number or E-mail myteaaz@gmail.com

My Tea & Sweets

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature _____

Printed Name Travis Deltz

Address 4236 N Central Ave #100

City Phoenix

State AZ

Zip 85012

Phone Number or E-mail 602 222 3474

Clever Koi

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature _____

Printed Name Minas Zistatsis

Address 4778 N. Central Ave

City Phoenix

State AZ

Zip 85012

Phone Number or E-mail 602-277-2402

Brothers Tailors

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature _____

Printed Name Michael Roberton

Address 4429 N. 7th Ave

City Phoenix

State AZ

Zip 85013

Phone Number or E-mail MichaelTodd ROberton@Gmail.com

MichaelTodd's Treasures

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature 

Printed Name Britney Whittington

Address 4427 N 7th Ave

City Phoenix

State AZ

Zip 85013

Phone Number or E-mail 402-625-5527

Twigs and Twine

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature _____

Printed Name DAVID WIMBERLEY

Address 4240 N. CENTRAL AVE

City PHOENIX

State AZ

Zip 85012

Phone Number or E-mail 602-241-0018

GEORGE & DRAGON

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature _____

Printed Name LAURA MITTENDORF

Address 4700 N. CENTRAL AVE

City PHOENIX AZ

State ~~&~~ AZ

Zip 85012

Phone Number or E-mail INFO@TRUE-FEW.COM

True Few Hair Salon

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature _____

Printed Name Ginalyn Halum

Address 4700 N. Central Ave, Suite 105

City Phoenix

State Arizona

Zip 85012

Phone Number or E-mail ginalyn.halum@yahoo.com

scooptopia

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature _____

Printed Name Kyle Werner

Address 4700 N Central ave #114

City Phoenix

State AZ

Zip 85012

Phone Number or E-mail 3609218395

PHXSOLES

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

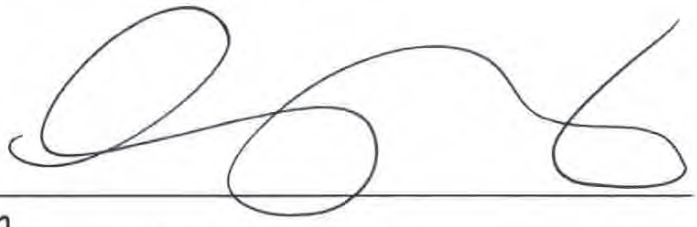
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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature 

Printed Name PAUL WAXMAN

Address 4971 N. 7TH AVE

City PHX

State AZ

Zip 85013

Phone Number or E-mail PAUL@INSTRUMENTALHOSPITALITY.COM

BELLY KITCHEN + BAR

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature _____

Printed Name Connie Lee

Address 5036 N. Central ave

City Phoenix

State AZ

Zip 85012

Phone Number or E-mail 602-653-4220

Doris Fire Cigal

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature _____

Printed Name Nerick Mirzakandov

Address 5028 N Central Ave

City Phoenix

State AZ

Zip 85012

Phone Number or E-mail _____

Central Shoe Repair

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature Stanley Zawatski

Printed Name Stanley Zawatski

Address 5042 N. Central Ave

City PHX

State AZ

Zip 85012

Phone Number or E-mail 602-266-3636

Deli - Cheese Shop

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature Gregory Roller (Fairmont Pharmacy)

Printed Name GREGORY Roller

Address 5068 N. CENTRAL AVE

City Phoenix

State AZ

Zip 85012

Phone Number or E-mail grego@FAIRMONTPHARMACY.NET

Fairmont Pharmacy

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature _____

Printed Name Roy Hamasaki

Address 5038 N. Central

City Phx

State AZ

Zip 85012

Phone Number or E-mail Info@CentralMusicDirect.com

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature S. Silberblatt

Printed Name Shawn S. Silberblatt

Address 5102 N. Central Ave

City Phoenix

State AZ

Zip 85012

Phone Number or E-mail 602-954-4009

FOR THE People

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature 

Printed Name Leslie Nunez

Address 4735 N Central Ave

City Phoenix

State AZ

Zip 85012

Phone Number or E-mail 602-410-8058

Leslie's Thread

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature _____

Printed Name Jacob Zona

Address 201 W Roma Ave

City Phx

State AZ

Zip 85013

Phone Number or E-mail 602-616-5031

Nick Klimek
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature _____

Printed Name AZthread21@gmail.com

Address 4733 N. Central Ave

City Phoenix

State AZ

Zip 85012

Phone Number or E-mail 623-277-5428

Arizona thread


CLEVER ROI


FOR THE PEOPLE
CREAM COFFEE


GHOST
VINTAGE
STREETWEAR


BELLY


BROTHER'S


COPPER STAR COFFEE
COPPER STAR COFFEE

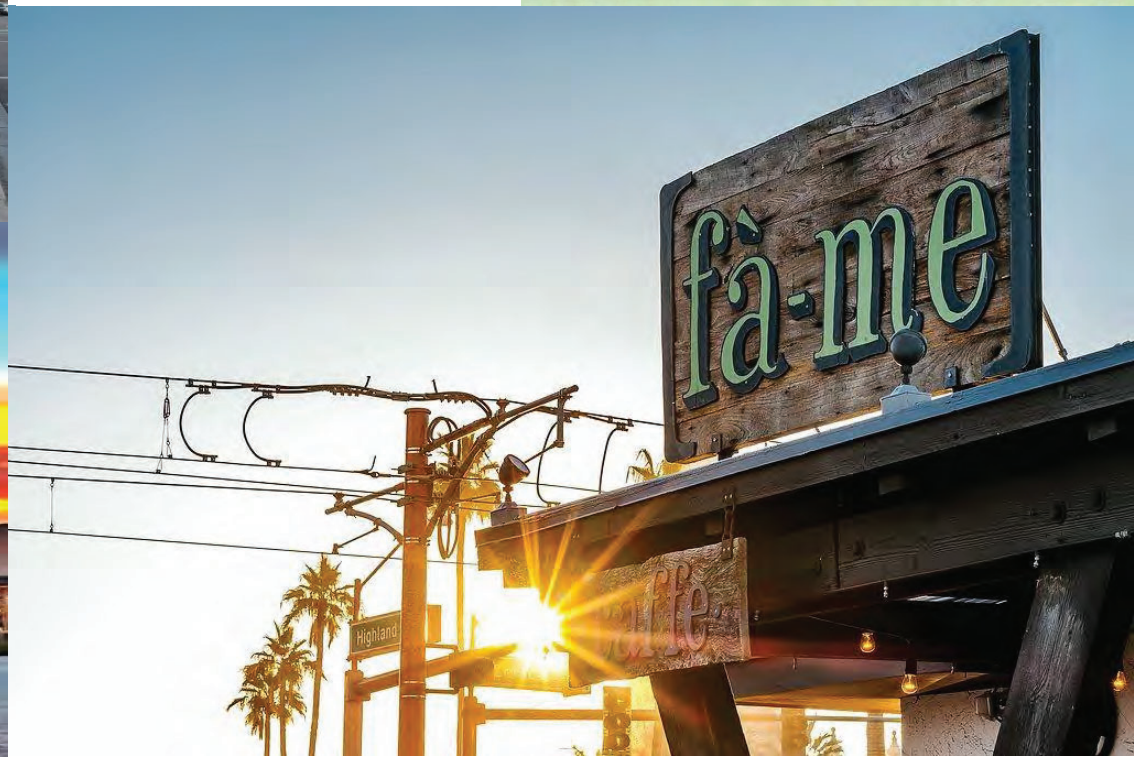

AZThread



Leslie's THREAD
FASHION BOUTIQUE









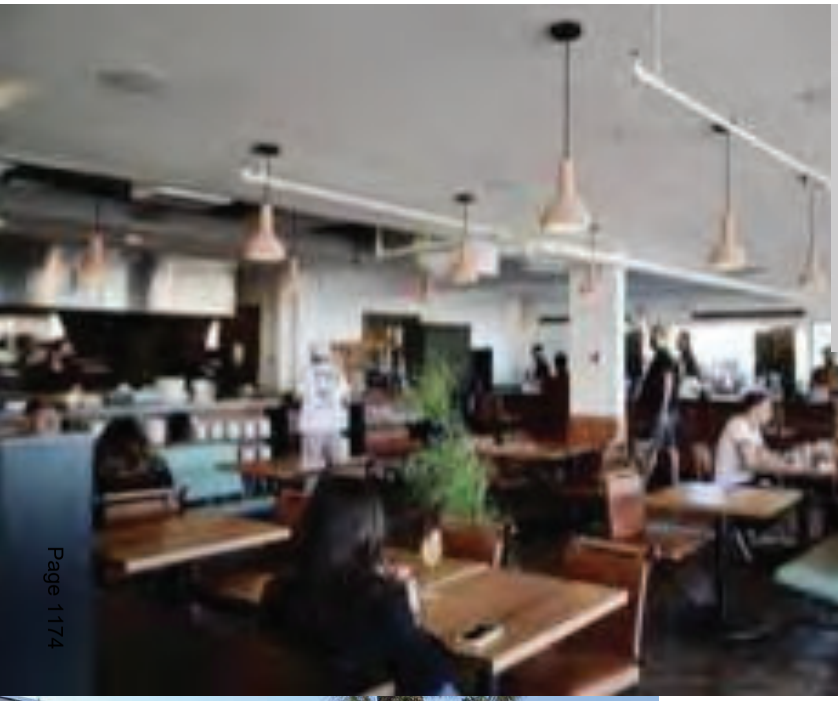
Rott n' Grapes











twigs and twine

TRUE FEW
HAIR SALON





Michael Todd's
Treasures


5068
Rx
FairmontPharmacy


12:05
87°
5110
UPTOWNE DRYCLEANING
UPTOWNE
DRYCLEANING


CENTRAL
SHOE REPAIR
5028
CLOTHING
ALTERATIONS
OPEN
SHOE
SHINE
$5.00


DELICATESSEN
DELI · SANDWICHES · SUBS ·


LEAF


Central Music


Hinkley's


MUSE


zookz
best toasted sandwiches 'round
breakfast - lunch


MODERN
MANOR
eat
drink

Racelle Escolar

From: Lina Money <linahanni2018@gmail.com>
Sent: Thursday, May 6, 2021 11:37 AM
To: Racelle Escolar; PDD Planning Commission
Subject: In opposition / z-56-20-4

Dear members of the planning commission,

As of this morning at 11am May 6th, members of the opposition still have not seen the new site plans. We have asked for a continuance and we are surprised it has not been granted as of yet seeing how we are expected to take a stance at tonight's meeting. The PUD was remanded from City Council skipping normal steps (including Alhambra) which would have allowed us to have ample time to review the new site plans and documents. We have not asked for a single continuance up to this point.

We are hoping the PUD can work as it has the potential to benefit everyone including the city's vision of the Grand Canal-scape. As the PUD stands, it does not work for the neighborhood. It is still very close to the WU T5:5 in density, vehicles, units, height of the parking garage, and lack of appropriate parking spaces.

Trinsic has gained 45 units from the R3/R5. They have gone from 218 to 210 with 165 being the maximum are R5 would allow. That is not a compromise. They have gained a 56 foot parking structure but they have REDUCED the number of parking spots since the City Council Meeting from 303 to 292. At 266 beds (210 units), that leaves 26 parking spots for couples and guests. That is unacceptable as this development is deep within our neighborhood. We agreed to 20 foot setbacks with the understanding we were gaining 8 to 10 feet in setbacks (north and west sides) from the previous rendering but this does not look to be the case based on a graphic that was sent to us a day ago. We need to see those site plans.

If you have not received ample letters of opposition, it is because we were trying to work with the PUD but at this point Trinsic is content with what they have and will not further reduce their density. The Dwelling Unit Density maximum for an R5 with bonuses is 52.20. Currently Trinsic is at a dwelling urban density of 63.63. In order for the Dwelling Urban Density to be at the maximum R5 with bonuses, Trinsic would have to bring their unit count down to 173.

210 units / 3.3 gross acres = 63.63 dwelling unit density
174 units / 3.3 gross acres = 52.72 dwelling urban density

We are open to working with this PUD as we do believe it could benefit all parties involved, but as of right now it hurts the neighborhood and we are forced to look back at the R3/R5. If we could get further concessions on unit counts/ parking spots in the PUD we could come back to the table. Without seeing a site plan, you are allowing us to go into this blind.

Please give us our continuance,

Vincent Bachelot

Racelle Escolar

From: R S <pjharveytrack12@yahoo.com>
Sent: Thursday, May 6, 2021 11:39 AM
To: Racelle Escolar
Subject: Please submit to planning commission

Dear members of the planning commission,

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Please give us our continuance,

Ron Szematowicz

Racelle Escolar

From: Lina Money <linamoney1@mac.com>
Sent: Thursday, May 6, 2021 11:32 AM
To: Racelle Escolar; PDD Planning Commission
Subject: In opposition / z-56-20-4

Dear Commissioners,

The proposal before you today purports to be an acceptable compromise brokered between community opposition and Trinsic Residential Group.

The reality, however, is to the **contrary**. As of 10:30AM this morning, opposition has yet to receive a revised site plan detailing the proposed development. We are also yet to hear back from the Streets Transportation Department regarding the traffic study submitted by the developer.

These procedural failures take backseat, however, to the fundamental shortcomings of this settlement proposal.

I. **Setbacks are still insufficient** to obtain outright neighborhood support. Set backs must be contiguous with surrounding developments, viz.- 30' on North side. The offer of 20' on the West is much appreciated. The additional 10' along the North side will preserve the surrounding setbacks and guarantee visibility for pedestrians, bikes and drivers at the intersection of 3rd Ave and Coolidge.
*It should be noted that renderings that were received my a member of the opposition this week showing the buildings redesign **do not** appear to include the 20' as proposed by the developer.

II. The **Number of Units** must be further reduced to prevent over-densification congestion and vehicular traffic. R5 allows for 165 units; TRG seeks 210 units; the neighborhood believes a unit count of 180-90 units is more appropriate in this setting and is a meaningful increase above R5 entitlements.

III. The **Number of Parking Slips** remains insufficient to guarantee that surrounding property owners not incur injury to their property enjoyment and quality of life. Parking is of course, a function of the number of units proposed.

IV. The **Parking Structure is Unacceptable** as it creates blight to surrounding neighbors. The parking structure must needs be the same height as the residential structure (48'). Additionally, stipulations must be included which prohibit the possibility of roof-top parking or the installation of lighting assemblies atop the parking structure. This is to prevent light pollution and preserve the aesthetic integrity for members of the public utilizing the canalscape for recreation.

V. The failure to arrive at an acceptable arrangement comes as a great disappointment to the neighborhood. A PUD, if created according to the process stipulated by the PUD manual, guarantees the community multiple, face-to-face meetings with the developer to broker

concession in an orderly and meaningful way. We met with the developer in a dark parking lot the night before the city council meeting in a most unorthodox and surely ex-parte fashion that left me ill to my stomach. This can not be allowed to become a permissible way by which the city allows controversial development cases to be resolved. If PPD believes that a PUD is the appropriate vehicle to broker a settlement, then the PUD must go through the normal, prescribed PUD process.

Because what you see before you today is not acceptable to opposition, be it known that opposition has submitted a request for continuance. We believe that arriving at an acceptable compromise is still possible and would like the commission to support the neighborhood in bringing TRG to the table in a meaningful way. If this is denied and the PUD is subsequently recommended to the City Council without the inclusion of stipulations ameliorating the above referenced concerns, opposition intends to further appeal.

With respect,

Lina Money

Dear Commissioners,

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Respectfully,

Dillon Hall
324 W. Minnezona Ave.
PHX, AZ 85013

Rcvd. 5/5/2021

To whom it may concern,

We, the neighborhood, request a continuance for case 56-20-4 to go on to the next planning commission meeting.

Vital information has not been received or it has not been received with sufficient time to review. We received images from Mr. Gosselink today 5-4 as to the redesign however it does not look like it incorporated the 20 foot setbacks. We need to see the official new site plan which we have not seen yet. Additionally we also have not received a confirmation whether the traffic study submitted on April 8th was approved or denied by the street transportation department.

This has been remanded from City Council and did not go through the normal PUD process including the Alhambra committee. Because of this, we did not have the usual opportunity to review site plans and documents. We have not asked for a single continuance up to this point. We feel it is the utmost importance to do so as it's a critical time.

Thank you

Sincerely
Ron Szematowicz

Racelle Escolar

From: Kenny W <kennywaters602@gmail.com>
Sent: Tuesday, May 4, 2021 11:07 AM
To: Racelle Escolar
Subject: Please Forward to all 9 Planning Commissioners re Agenda Item #15 (May 6th)

Re: Agenda Item #15 "Aura Uptown" (Donor Network 3.29 Gross Acre Site)
May 6th, Thursday 6pm VIRTUAL Webex Planning Comm Meeting
Pierson Place Historic District
2 Video segments
1 Aerial Photo
Park: 0.44 Acre
Old Growth Trees: (25 along streets & canal)

Hi Racelle,

Can you please forward this email asap with its two relevant ***video links*** (to all 9 Planning Commissioners) of **Channel 3 News' "Phoenix Community Fights to Keep Neighborhood Park" coverage** re the proposed Aura Uptown project **@SEC of 3rd Ave & Coolidge**,
... along with the video link of **City Council's 92-minute hearing of this case** that produced 43 minutes of strong neighborhood opposition comments, with 21 neighbors speaking against - just a tip of the iceberg.

Donor Network office was a .44 acre park and M-F 9-5 greatest neighbor *EVER*.

The Pierson Place neighborhood really didn't awaken to this loss of park & neighbor - to be replaced by yet another "***aggregating***" compounding 24/7 traffic nightmare coming into the deep interior of our neighborhood (NO arterial streets) till AFTER the Planning Commission voted on it. The City Council found that neighborhood "awakening" out the hard way - 92 minutes worth. Thus, it's back for hopefully much different PC reconsideration and 2nd thoughts ... this time around.

Thank you!

Ken Waters
Pierson Place, 27-yr resident

Channel 3 News clip (97 second segment) that aired March 2, 2021:
https://www.youtube.com/watch?v=JgHI0aGl7Fk [youtube.com]

April 7th City Council Hearing:
https://www.youtube.com/watch?v=oaTwv7GpIi4&t=12254s [youtube.com]
(Agenda item #114, Aura Uptown project that **lasted 1hr, 32 mins)**:

Agenda Item Started at the 3:02:05 mark
Public Comments started at the 3:23:40 mark
Public Comments ended at the 4:11:00 mark
Item Ended at the 4:34:00 mark
92 Minutes total

<iframe width="560" height="315" src="https://www.youtube.com/embed/oaTwv7GpIi4?start=12220 [youtube.com]" title="YouTube video player" frameborder="0" allow="accelerometer; autoplay; clipboard-write; encrypted-media; gyroscope; picture-in-picture" allowfullscreen></iframe>



---------- Forwarded message ---------
From: **DIANE L MIHALSKY** <dmihalsky@msn.com>
Date: Sun, Feb 28, 2021 at 5:42 PM
Subject: Z-56-20-4
To: council.district.4@phoenix.gov <council.district.4@phoenix.gov>
Cc: mayor.gallego@phoenix.gov <mayor.gallego@phoenix.gov>, council.district.1@phoenix.gov <council.district.1@phoenix.gov>, council.district.2@phoenix.gov <council.district.2@phoenix.gov>, council.district.3@phoenix.gov <council.district.3@phoenix.gov>, council.district.5@phoenix.gov <council.district.5@phoenix.gov>, council.district.6@phoenix.gov <council.district.6@phoenix.gov>, council.district.7@phoenix.gov <council.district.7@phoenix.gov>, council.district.8@phoenix.gov <council.district.8@phoenix.gov>

Councilperson Pastor:

My name is Diane Mihalsky. I live at 304 W. Campbell Ave. in the Yaple Park historic neighborhood in mid-town Phoenix. I bought my house in 1986 and have lived here since that time.

For several years, I sat on the Encanto Village Planning Committee. The proposed development on the southeast corner of N. 3rd Ave. and W. Coolidge St., **Z-56-20-4**, is the first proposed development in the neighborhood that I have ever opposed.

The site is located along the Grand Canal on the south and the Sonoran bikeway on the west, in the middle of two irrigated historic neighborhoods. This is a relatively small site, between 2.30 acres (sale advertisement), 2.6 acres (County Assessor's website), and 3.29 acres (Trinsic's submission to City staff). It presently has an approximately 30' wide retention basin along the bikeway with a row of 10 mature olive trees. Neighbors meet each other and walk with their children and dogs in the shaded green area on this unique property.

According to the staff report, Trinsic plans to build a 218-unit, 4-story with mezzanine "luxury apartment" with only 10' setbacks, on which it has promised to plant 3" caliper shade trees, 20' on center, between the minimum 5' wide sidewalk and building. Based on over 30 years gardening on an irrigated lot, these trees will never provide the coolness and shade that the olive trees provide, if they survive at all in the increased heat island that this project will cause.

Because the parcel is on a flood hazard area on the north side of Grand Canal, Trinsic has promised to show that it has complied with FEMA regulations to protect the proposed development, not surrounding streets or properties. Although there was some mention at the Alhambra Village Planning Committee meeting that the City engineer considered Trinsic's removal of the retention basin on neighboring streets and properties, no report is mentioned in the staff report. We don't know whether the City considered the impact of the kind of 100-year rain or flood that has been become more common in Phoenix.

The staff report does not mention that Trinsic will take any measures to mitigate the increased traffic and parking that this project will cause on narrow streets in the middle of a residential neighborhood. Trinsic has suggested that, if parking becomes a problem, it might require permits for

the south side of Coolidge, in front of the development, but not across the street, where single-family homes are located. The only concession that Trinsic has made to the site of the plan on the canal requires shaded open space and installation of bicycle parking for residents and guests and a publicly accessible bicycle repair station, subject to SRP's approval of these uses of its right-of-way. Not only is Trinsic not using its own property for these features that it brags will bring a significant benefit to the City, but it has not bothered to ascertain whether it can actually construct these improvements.

The planned development is a cookie cutter replication of the numerous mid-rise blocks that seem to have sprouted on large parcels on the arterial streets surrounding neighborhoods. These dense mid-rise developments are appropriate for large parcels on arterial streets on the edge of existing neighborhoods, not this small, unique property located between two thriving single-family neighborhoods.

I support the City's goal of achieving more density in my mid-town neighborhood. But I oppose this ill-conceived, third-rate project because I think the City can do better by the residents who have helped make this area so desirable. If the City approves Trinsic's proposed development on this small, unique parcel, it will place a developer's short-term profits over long-term value for the City and its long-term residents. I beg you to use your sound discretion to denying the zoning changes that Trinsic requests.

Diane Mihalsky

cc: Mayor Gallego and Councilpersons Williams, Waring, Stark, Guardado, DiCiccio, Nowakowski, and Garcia

Dear Councilperson Pastor,

I am a resident & property owner in Yaple Park Historic Neighborhood, and I write to express my strongest disapproval of **Rezoning Case No: Z-56-20-4.**

Z-56-20-4 seeks to permit the construction of a 4 + story mid-rise on the Southeast corner of 3rd Avenue and Coolidge Street in Midtown Phoenix (the former offices of the Donor Network of AZ at 201 W. Coolidge). The complex will have a **minimum of 218 units** (**275 beds**), **will be set a mere 10 feet back from the street, and effectively will blanket the entire 2.6 acre parcel with a 60 foot structure that will tower over existing homes in every direction.**

That the proposed development will damage the surrounding area is the widely-held and affirmed belief of surrounding homeowners, residents, and private businesses.

I have joined the more than one hundred property owners and residents of the surrounding neighborhoods in signing petitions against Z-56-20-4 to make clear our opposition to the proposed changes. **These are families and futures belonging to your constituents of which I am only one and I respectfully implore you to consider voting against the rezoning request.**

The **Alhambra Village Planning Committee and City of Phoenix Planning Committee have both voted in favor of this zoning change**, thus allowing for the proposed development to proceed. **Present at both meetings, however, were a large contingent of community members all of whom stood in opposition and all of whom were prevented from meaningful participation in either public process.**

These proceedings were contrary to our democratic principles, and were most especially egregious as we made repeated attempts to voice our concerns and were given no reasonable accommodation. The truth is that **the surrounding residents are the individuals who will suffer irreversible life changes, and so ought to have been guaranteed a meaningful role in the decision making process. The process, thus far, has not afforded any role to them.**

Like many of my neighbors, I am concerned that **the proposed building will diminish property values within the two adjacent historic neighborhoods[1] and will create an unsafe and dangerous traffic environment in an area in which ingress and egress are already highly restricted.** This is compounded by the fact that there will be insufficient parking to accommodate the total number of residents, guests and service providers to the building. The surrounding infrastructure of the neighborhood is not such that it can accommodate an expected increase to vehicular activity without systemic improvements such as sidewalks none of which are part of the proposed development.

Congestion is further compounded by the fact that Pierson Place is bordered on two sides by the Light Rail and on a third by the Grand Canal, leaving residents (1) No interior South-Bound Exits, (2) a single Northern exit at Camelback and 3rd Avenue, and (3) a single Eastern exit at the light on Highland and Central Avenue to head North. This last intersection is already utilized by, as a necessity, the more than 3,500 students attending St. Francis Xavier School, Brophy College Preparatory, Xavier College Preparatory and the clergy of the Parish grounds[2].

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[1] **Yaple Park**, which is 108 residences 103 of which are single-family-homes & **Pierson Place**, which is composed of more than 150 residences, 85% of which are single-family-homes.

[2] coming and going both at peak traffic hours and throughout the day.

Many neighbors have expressed their concerns as ADA residents and as parents of young children who will now be forced to compete with car traffic on the surface streets. Our neighborhoods have very, very few sidewalks and we fear losing our pedestrian culture to densification. Our ability to park in front of our own homes will also be compromised. The stress on existing utilities is an additional concern, as this is a neighborhood built up in the early 1930's then again in the post-war 40's-60's.

Our sewer lines have been failing for a decade and effectively doubling demand on them immediately will likely greatly accelerate the failure of this system which is now at the end of its projected life cycle, according to the city's own data. This is yet another major cost to be born by existing property owners and is a financial burden that gives sole accommodation to the development in-question. If the City approves the development, it *will* shift the cost of supporting the development onto existing individual property owners.

Arguably just as important is our belief that this development will decrease our property enjoyment, stifle our historical identity, and gravely undermine the independence of our community to influence much less chart our own futures.

Forcing this drastic and arguably inappropriate development upon existing property owners will cause general injury to our financial positions and social fabric. Of specific concern are traffic/parking hazards, the degree of density relative to surrounding properties and frankly the aesthetically vacuous character of the proposed building. This area and this site in particular deserves something better and ought to be developed in such a way as to amplify the special nature of the surrounding historic neighborhoods.

This is a large development smack-dab in the middle of two traditional, working-class residential neighborhoods that are on their way up. This development brings our community nothing of tangible value and, in fact, seriously undermines our expectation as property owners to continue along an upward trajectory that has proven to be an asset to the city, and will rationally be expected to continue. This development should be curtailed to benefit and preserve the greater midtown area in the short-term, mid-term and long-term futures as sought-after historic residential areas.

Put frankly, this development will transfer the hard-earned wealth generated by individual homeowners and families to a Wall Street Corporation. This is not a case of xenophobia or of anti-progressivism; this is a case of decades of hard working, mortgage paying and free-holding individuals and families who have struggled to ensure that these communities would not only survive but would flourish seeking to preserve what we have built. Now we are trying to avoid collision with a powerful single interest, the impact of which we will likely not survive at least not recognizably at the onset of our real prosperity.

I could go on and on, but I think I've expressed enough of your constituents' feelings in this matter to inform you of our committed sentiment that this development should not go ahead.

Thank you for your time and consideration. Please keep up the good work, Councilperson Pastor!

Sincerely,

Dillon Hall
324 West Minnezona
Phoenix, Arizona, 85013
Dillon.Hall.MTAZ@gmail.com
602.758.2241

The Urban Walkable Code is inappropriate for the site at 3rd Ave & Coolidge St. This site is away from all arterial roads and is in the heart of a historic neighborhood that is cut off to the south by the canal, has limited access to the east and the north because of the light rail, and contends with suicide lanes on 7th Ave to the west. Adding this much traffic along the 3rd Ave bike path and within this neighborhood is bad for safety and overall city development. This development in this area is inconsistent with the very premise of a walkable code.

Trinsic Development group has applied for a zoning change from a historic R3/R5 to a WU T5:5 which is the same zoning as the NW corner of Indian School and Central Ave.

A T5:5 is characterized by "a broad mix of buildings that integrate retail, offices, live-work and residential".[1] They average in 56 to 100 feet in height. There is nothing close to this height any where near this development or within the historic neighborhood, away from arterial roads. The majority of the buildings in the surrounding area are single family homes on a single floor and some two story residential buildings. The average height in the area is LESS than 30 feet, somewhere between one and two story residential.

A T5:2 and T5:3 is the next step down and we still are not anywhere near its characterization. "A low intensity mixed use fabric characterized by a SMALL MAIN STREET SCALE COMMERCIAL AREAS, adaptive reuse of single-family homes to retail, office uses and dining establishments and mixed use residential developments incorporating a BROAD mix of frontage types averaging 30 to 48 feet in height."[2] All the "main street commercial" streets are arterial roads. 3Rd Ave is completely residential and we have no retail or dining away from arterial roads. Again we are between one and two stories with the majority of the area a historic one story neighborhood. We are well below the average height of 30-48'.

Even the T4:2 and T4:3 discuss an average of 30-40 feet in height. We do not have close to this average either.

I have been through much of the "Vison and Master Plan" Uptown section city pamphlet that Trinsic has used to tout this zoning change to planning commissions and the neighborhood and it clearly states "The plan serves as a guide and is not regulatory. Additional outreach and research on underlying entitlements and appropriateness of specific properties will be conducted during the rezoning process[3]" (page 77 uptown section). I have found plenty of maps within this pamphlet that show this property outside the appropriateness of a WU code zone.

[1] https://phoenix.municipal.codes/ZO/1302
[2] https://phoenix.municipal.codes/ZO/1302
[3] https://www.phoenix.gov/pddsite/Documents/PZ/ReinventPHX%20UPTOWN%20TOD%20Policy%20Plan%2011X17.pdf page 77

Screen shot from City of Phoenix municipal codes section 1302.

A. 2. **T4:2 and T4:3 Districts.** Low-intensity urban residential fabric characterized by single-family homes, duplexes, single-family attached and small multifamily developments, averaging 30 feet to 40 feet in height. Home occupations are permitted.

3. **T5:2 and T5:3 Districts.** Low-intensity urban mixed-use fabric characterized by small main street scale commercial areas, adaptive reuse of single-family homes to retail, office uses and dining establishments, and mixed-use residential developments incorporating a broad mix of frontage types, averaging 30 feet to 48 feet in height.

4. **T5:5, T5:6 and T5:7 Districts.** A medium-high-intensity mixed-use fabric characterized by a broad mix of buildings that integrate retail, offices, live-work and residential units adjacent to the Light Rail Corridor, averaging 56 feet to 100 feet in height.

5. **T6:7, T6:15 and T6:22 Districts.** A high-intensity mixed-use urban fabric characterized by large footprint high rise buildings averaging 100 feet to 250 feet in height adjacent to the Light Rail Corridor. Buildings have the highest intensity of uses, integrating office, commercial and residential uses. Development may incorporate forecourts and open spaces available to the public.

6. **T6:HWR District.** A height waiver, high-intensity fabric characterized by mixed-use buildings with large footprints and/or towers with existing and any new height waiver entitlements beyond T6:22.

Screen shot from City of Phoenix website Urban Walkable Code Handout

LOW-INTENSITY RESIDENTIAL DISTRICTS

T3:2 Residential, characterized by single-family homes and duplexes, home occupations permitted.

Maximum height: 30-feet.



T4:2 T4:3

Residential with a mix of housing types: single-family, duplexes, multi-family and single-family attached (townhouses). Home occupations and professional offices permitted.

Maximum height: 30-ft (T4:2) and 40-ft (T4:3)

LOW INTENSITY MIXED-USE DISTRICTS

T5:2 T5:3 T5:5

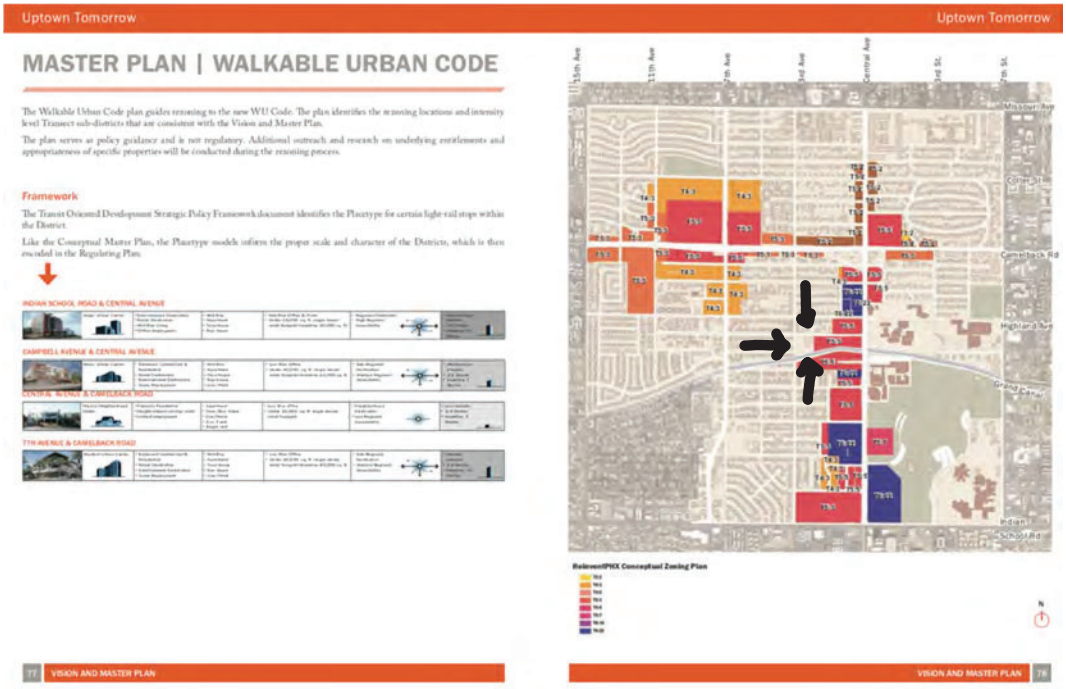


Characterized by adaptive reuse of existing single-family homes to dining, retail and office uses.

New developments incorporates a mix of uses, such as residential & offices with retail on the ground floor, live-work, multi family and single-family attached.

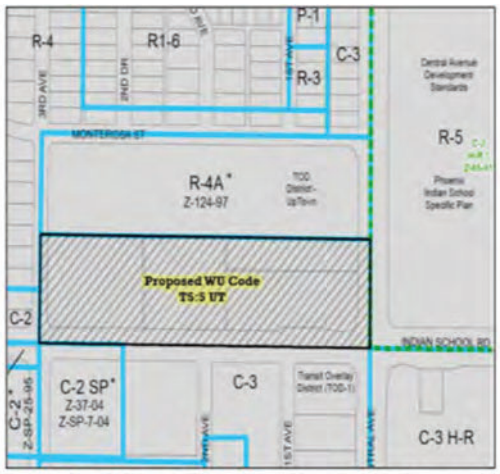
Maximum Height: 30-ft (T5-2), 48-ft (T5:3) 56-ft (T5:5)

Note: The property in question is NOT part of the urban walkable code. These are not supposed to be taken verbatim.



A T5:5 is the type of zoning that TWO arterial roads just received on the Northwest corner of Indian School and Central Ave.

WU T5:5 Indian School and Central Ave

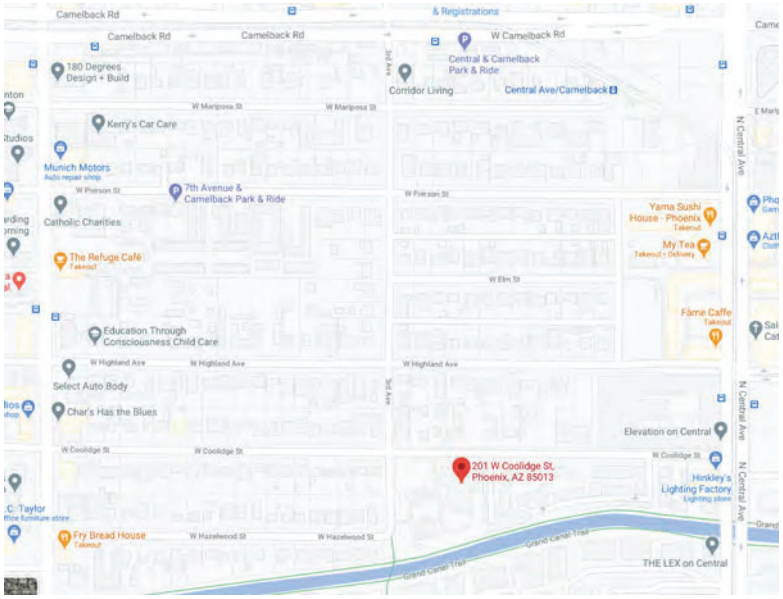


Source: City of Phoenix Planning and Development Department



We are RESIDENTIAL. A look at businesses via Google maps. Note they are all within one house of arterial roads. No dining no retail away from Central or 7th Ave. 3Rd Ave is strictly residential.

Google maps shows no businesses away from arterial roads, no dining and no retail
No businesses on 3rd Ave at all



The neighborhood surrounding the property to the west and to the north. Note: away from arterial roads.

Oksane's property and Monica's house to the north



Adam and Paula's looking west from the development. Adam in particular is very concerned with the proposed height and the invasion of privacy into his yard.



Looking west on the south side of Hazelwood. Kim and Karen’s houses.

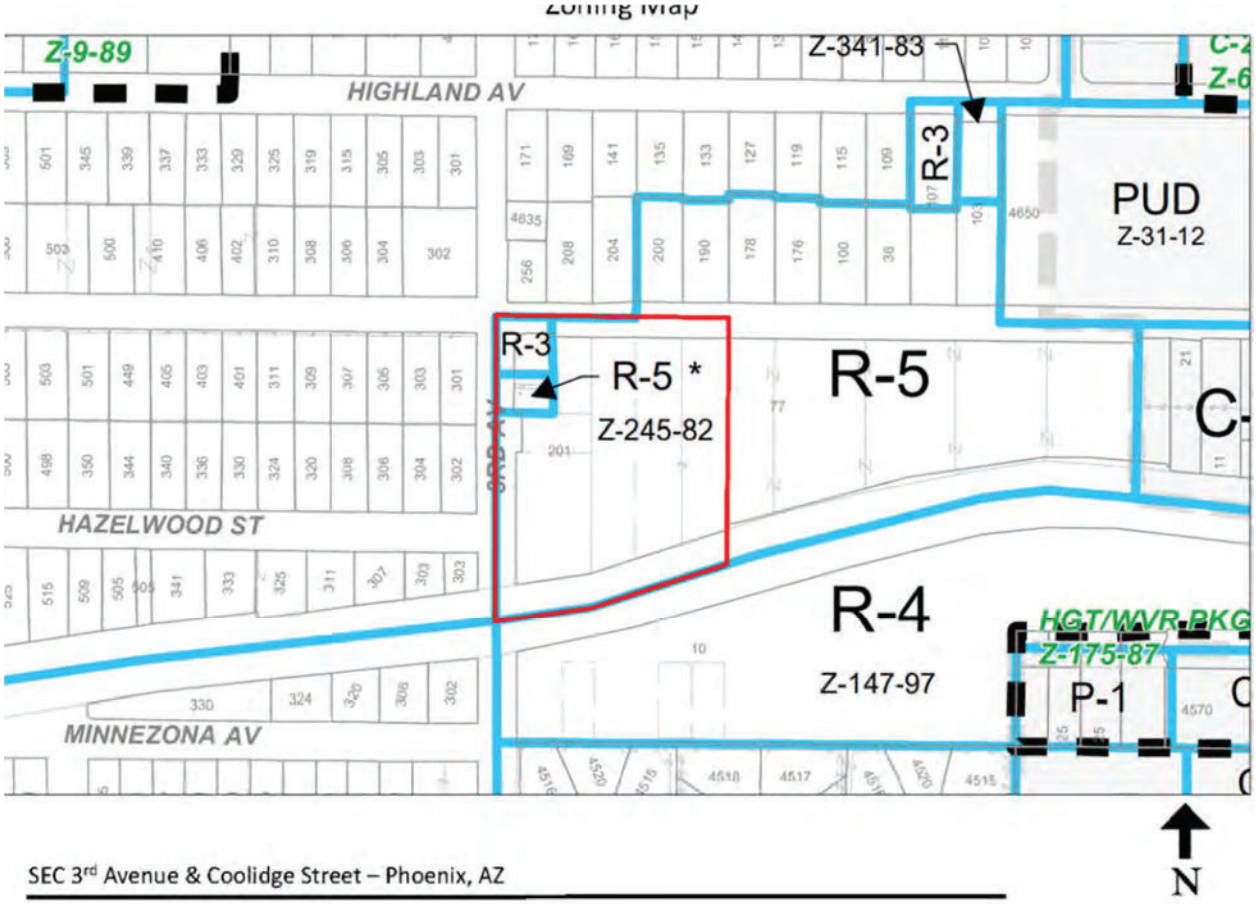


Teresa and Monica’s house directly across the street to the north of the development.



Monica’s house with Teresa’s next door to the north of the property.





SEC 3rd Avenue & Coolidge Street – Phoenix, AZ


Elevation on Central
2D

Traffic and parking concerns.

We have heard from Jason Morris that this development will be the same traffic as a 34,000 sq ft office complex that had a 108 parking spaces. This proposed building is going close to the curb on 115,000 sq ft block and will be 4 stories. At 218 units with 46 studios, 116 one bedrooms and 56 two bedroom that gives us 274 beds with only 303 parking spots. That is 1.1 parking spots per bed. That leaves 29 spaces for other halves of couples and guests. This is not enough parking.

This neighborhood is cut off to the south by the canal, has limited access to the north and east by the light rail and contends with suicide lanes to the west. 3rd Ave is a bike path and a traffic increase will reduce safety. A parking increase will reduce visibility.

108 parking spaces vs 303 parking spaces.... 34,387 Sq feet of 2 story building vs 115, 133 sq foot lot size which will be mostly 4 story building



EXECUTIVE SUMMARY

- Existing Improvements: 2-Story Office Building (34,387 SF) with 3.14:1000 Parking - expandable to +/-4.5:1000
- Lot Size: 11,133 SF (+/- 2.3 Acres) with R-5 Zoning
- Moments from Central Avenue and Camelback Road
- Lushly landscaped property situated on the significantly improved Arizona Grand Canal

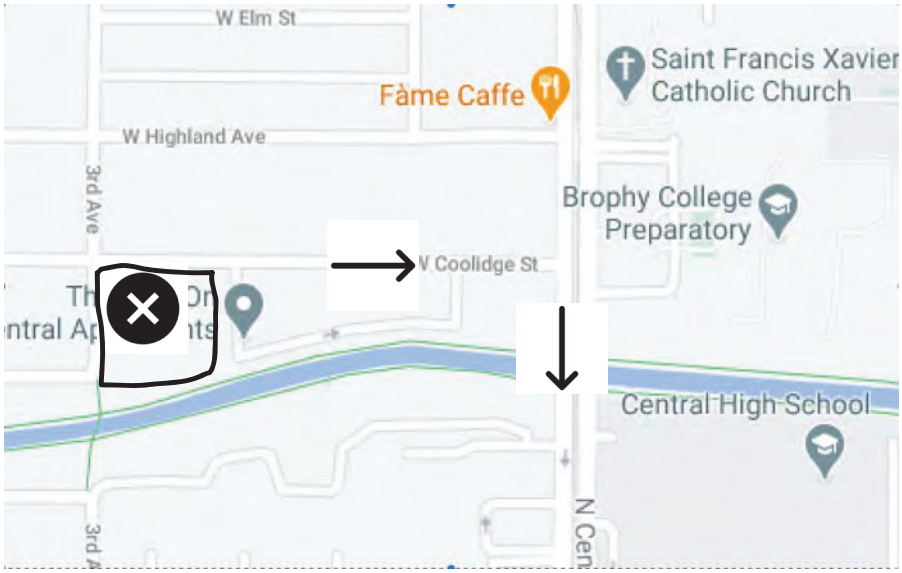
PROPERTY FACTS

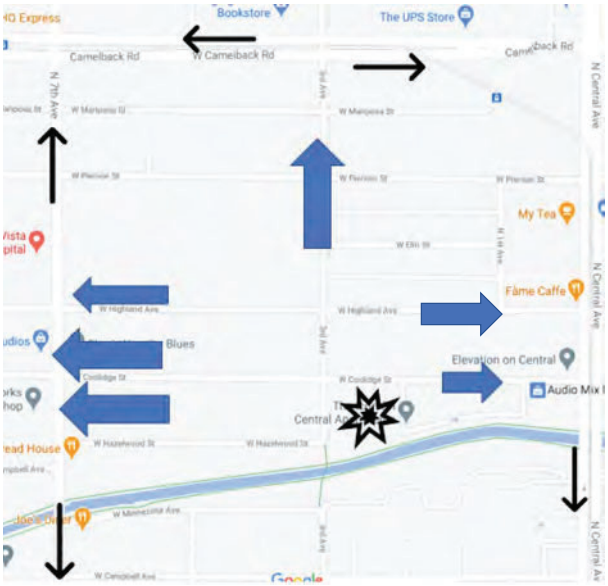
Sale Type	Investment or Owner User	Year Built	1984	Building Height	2 Stories
Sale Condition	Redevelopment Project	Price	$4,950,000	Typical Floor Size	17,194 SF
Property Type	Office	Price Per SF	$144	Building FAR	0.34
Building Size	34,387 SF	Tenancy	Single	Land Acres	2.30 AC
Building Class	B				
Zoning	R-5/R-3, Phoenix				
Parking	108 Spaces (3.14 Spaces per 1,000 SF Leased)				
Opportunity Zone	No				

The parking garage with its single entrance and exit is going to be toward the east of the property to encourage cars to head toward Central Ave. Central is right turn only heading south.

Central Ave is right turn only from Coolidge St

Southbound Only





Coming back into the neighborhood



Sufficient parking matters for safety and aesthetics





We have not seen an appropriate drainage plan for the surrounding area or the development's impact on drainage. The following photos were taken by Karen McCasland after one of our monsoons at the property. This area is a floodplain. The project will be built on this area.

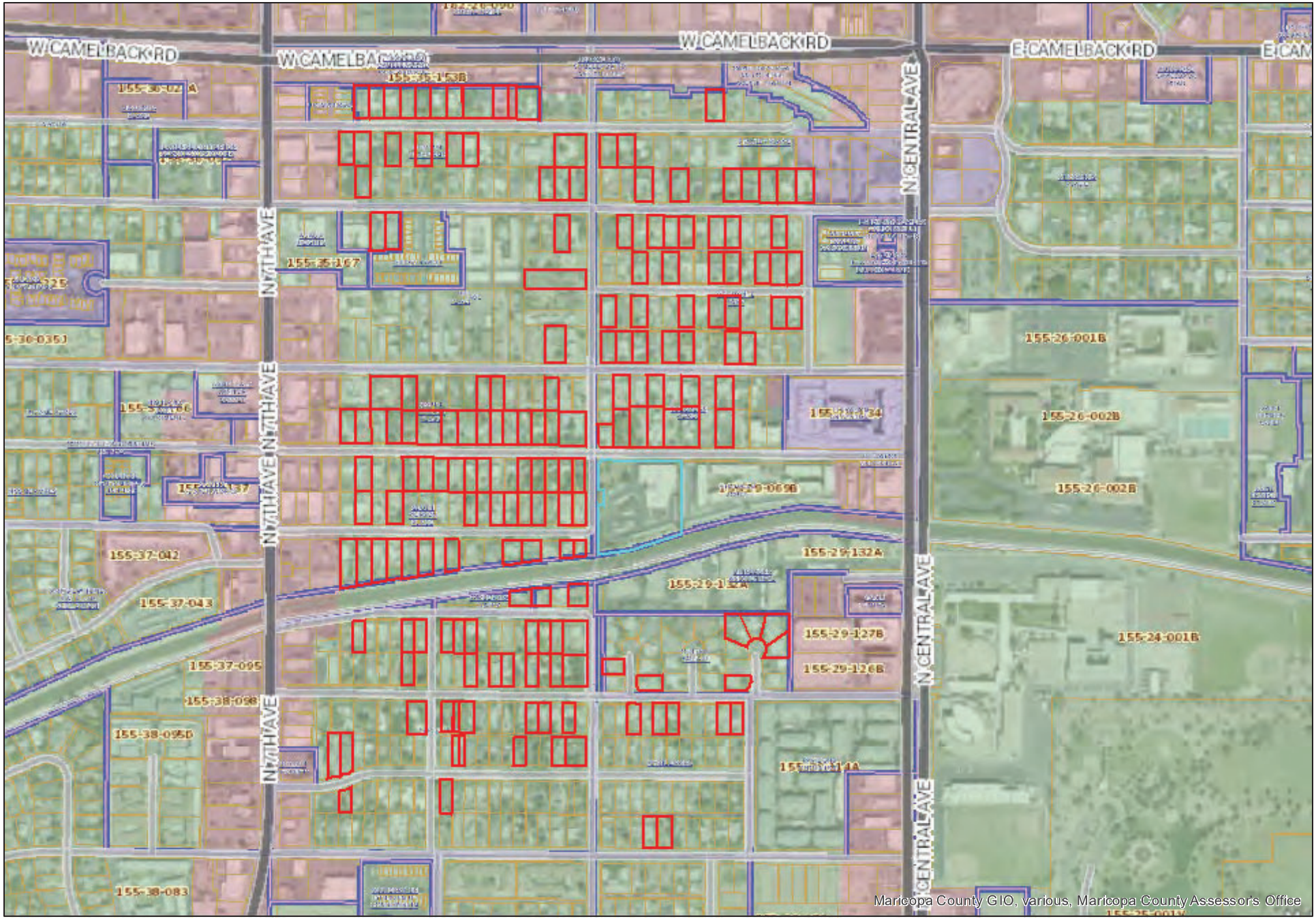




I took this photo of the property.



Map



3/24/2021 11:51:54 AM

Petition AGAINST rezoning from R3/R5 to WU
REZONING APPLICATION # **Z-56-20-4**

Request: **R3/R5 - WU**

Location: **SE Corner of 3rd Ave and Coolidge St**

We the undersigned are OWNERS of property within the Pierson Place and Yaple Park historic neighborhoods. We stand AGAINST the rezoning effort by the developers to increase the number of units, increase height, decrease of ample parking and decrease ingress(easement). This type of zoning belongs on a major road like Camelback or Central Ave not in the heart of a historic neighborhood. The neighborhood, Pierson Place, is closed to the south by the canal, has limited access to the east and north by the light rail and has suicide lanes to the west during peak times of day. We ask the zoning remain at the historic R3/R5.

Date Signature Print Name Address APN

FOR SEVIGNE LLC:

02/15/2021 Tania Petkova-Bachelot

Vincent Bachelot

506 W. Coolidge St
85013 Phoenix, AZ

APN 155-34-024

Petition AGAINST rezoning from R3/R5 to WU
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Date	Signature	Print Name	Address	APN
2-15-21		RON SREMATOWICZ	308 W. COOLIDGE ST	155-34-010
2/16/21		William Robert Durrant	403 W Coolidge St.	155-34-054
2/16/21		Henry L Harding	305 W Coolidge St	155-34-006
2/16/21		Kostadin Petkov	505 W Coolidge St	155-34-063
2/16/21		GARY NOONAN	610 W HAZELWOOD	155-34-075
2/16/21		Stephen Young	634 W Hazelwood St	155-34-099
2-16		JAMES NOWLIN	585 W Hazelwood	155-34-098
2-16		Zach Winn	525 W. Hazelwood	155-34-095
2-16		Thomas D. Rice	370 W Hazelwood St	155-34-050
2-16		Matthew Bailey	325 W Hazelwood St	155-34-087A
2-17		CHRIS GONZALES	310 W. COOLIDGE ST	155-34-011
2-17		Adam Fraga	425 W Coolidge ST	155-34-053
2-17		K FRANK SHOLETH	449 W. Coolidge ST	155-34-060
2/17		Jeremy Hahn	602 W Coolidge	155-34-027
2-17		Erin Starrs	644 W Coolidge	155-34-085
2/18		Jeff Rahn	306 W Coolidge	155-34-007
2/18		Pamela L Perry	304 W Coolidge	155-34-006
2/18		Taylor Stevens	307 W Coolidge	155-34-049
2-19		Karen McCausland	309 W Coolidge	155-34-048
2/20		Ryan Hanson	523 W Coolidge	155-34-072
2/20		Ryan McLean	311 W. Hazelwood	155-34-088
2/20		[illegible]	505 W Hazelwood	155-34-093
2/20		[illegible]	324 W Hazelwood St	155-34-051
2/20		TSVETELIN MANEV	510 W Coolidge St	155-34-027
2/21		Jenny Madison	501 W Coolidge St	155-34-059
2/21		JAY BADAWI	562 W Coolidge St	155-34-022
2/22		Nina Lutz	503 W. Coolidge St	155-34-064

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Date	Signature	Print Name	Address	APN
2-17-21		Diane Prickett	165 W. Highland	155-34-020
2/17/21		Paul Bang	174 W. Highland	155-34-023
2/17/21		JANE F. BROWN	135 W Highland	155-34-072
2/17/21		Lauretta R. Deringer	150 W. Highland Ave Phx	155-34-036
2/17/21		Phyllis Barthsberger	140 W Highland	155-34-038
2-17-21		Marilyn Lewis	115 W Highland	155-34-061
2-17-21		Melade Estrada	108 W. Elm St	
2-17-21		WENDY LOCHER	107 W ELM ST.	
2-17-21		Christopher Marks	114 W Elm St	
10 2-18-21		BARBARA BACKMAN	340 W HIGHLAND	155-34-022
2-18/21		[illegible]	324 W. Highland Ave	155-34-012
2-18-21		[illegible]	333 W. Highland Ave	155-34-044
2/18/21		JASMINE PEREZ	509 W Highland Ave	155-34-023
2/18/21		BARBARA MITCHELL	515 W HIGHLAND AVE	155-34-025
2/19/21		PATRICIA MALONEY	193 W ELM ST PHX 85013	
2/19/21		BRIAN CRAWFORD	150 W ELM ST PHX AZ 85013	
2/19/21		Jesse Gibbs	152 W ELM ST PHX 85013	
2/19/21		[illegible]	161 W Elm Phx 85013	
2/19/21		ANTHONY CASTRO	162 W Elm PHX 85013	
20 2/21/21		Alison Widener	143 W ELM ST 85013	
2/21/21		ERIN Flores	124 W ELM ST 85013	
2/21/21		[illegible]	101 W ELM ST 85013	
2/21/21		[illegible]	105 W Elm St 85013	
2/20/21		Cynthia Swiney	131 W ELM St 85013	
2/21/21		ALAN SLOBODKIN	125 W Elm St. 85013	
2/21/21		Janet Davidson	107 W. Pierson St 85013	
2/21/21		Devon Judge	110 W Pierson 85013	

Petition AGAINST rezoning from R3/R5 to WU
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Date	Signature	Print Name	Address	APN
2-21-21		JA METZLER	324 W. CAMPBELL AVE	155-34-123
2/21/21		JACK WISEMAN	340 W CAMPBELL AV	~~155~~ 155-34-127
2/21/21		DENISE DAVIS	506 W CAMPBELL AVE	155-34-135
2/21/21		Shelby Bradshaw	501 W Campbell Ave	155-33-041
2/21/21		Deborah J. Hickman	357 W. Campbell Av.	155-33-094 & 090
2-21-21		Kelly Scharber	555 W CAMPBELL AVE	155-33-091
2-21-21		MARIA HOELZINGER	253 N. CAMPBELL AVE	155-33-091
2-21-21		JUAN AVILA JR	355 W CAMPBELL AVE	155-33-085
2-21-21		THOMAS BRENNAN	308 W. Campbell Ave	155-34-115
2-23-21		BERT S. PETERSON	318 W. CAMPBELL AVE.	155 34 117
2-23-21		Sarah Gilbert	307 W. campbell ave	155-33-078
2-23-21		DANIEL LEVASSEUR	309 W. campbell ave	155-33-078
2-23-21		Derek Sherwood	311 W. Campbell ave	155-33-079
2-23-21		Carl Tipping	302 W. Roma Ave	~~155~~ 155-33-093
2-23-21		TRAVIS JOHNSON	340 W. ROMA AVE	155-33-089
2-23-21		LIZ JOHNSON	340 W ROMA AVE	155-33-093
2-26-21		BRIAN BALMER	355 W. ROMA AVE	155-33-117

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Date	Signature	Print Name	Address	APN
02 / 19 / 2021		JOSE ALVARADO	406 W COOLIDGE DR, PHX	155-34-015
2/22/21		ED MEZWIS	514 W Hazelwood St Ph X	

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Date	Signature	Print Name	Address	APN
02/19/2021		JOSE ALVARADO	406 W COOLIDGE DR. PHX	155-34-015
02.22.2021		Yiorgos Makris	040 W Hazelwood St Phoenix AZ 85013	155-34-058
2/22/21		Monica Gaci a	550 W. Coolidge	155-34-020
2/23/21	Kelly Rose	Kelly Rose	402 W Coolidge, 85013	155-34-016

Scanned with CamScanner

Petition AGAINST rezoning from R3/R5 to WU
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Date	Signature	Print Name	Address	APN
02 / 19 / 2021		JOSE ALVARADO	406 W COOLIDGE DR. PHX	155-34-015
02.22.2021		Yiorgos Makris	348 W Hazelwood St Phoenix AZ 85013	155-34-058
2/22/21		Monica Garcia	550 N Coolidge	155-34-020
2/19/21		Sarah Simpson	318 W Hazelwood St	

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Date	Signature	Print Name	Address	APN
2-20-21		Bruce Becker	301 W. Minnezona Ave	155-34-108A
2-20-21		VICTOR ICONOMOU	309 W. MINNEZONA	155-34-112
2-20-21		Margaret LaBounce	315 W Minnezona Av	155-34-114
2/20/21			340 W Campbell Ave	155-34-111A
2/20/21		Dillon Hall	324 W. Minnezona Ave	155-34-155
2/21/21		Andrea Hodge	501 W Minnezona Ave	155-34-137
2/21/21		Kimmi Ross	619 W. Minnezona	155-34-192
2/21/21		MARISSA LUCERO	4555 N. 5th Ave	155-34-130
2/21/21		Kristen Anderson Saggau	341 W minnezona Ave	155-34-128
2/21/21		Barbara Goree	337 W Minnezona Ave	155-34-126
2/21/21		Joseph Yaple	320 W Minnezona	155-34-104
2/21/21		John Buettner	350 W. Minnezona	155-34-134
2/20/21		Greg Hollasch	319 W Minnezona Ave	155-34-116

30 R5

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Date	Signature	Print Name	Address	APN
2.21		[illegible]	114 W. Pierson St	
2/21/21		WALKER R KAHN	125 W. Pierson	
2/21/21		Joanne Winter	118 W. Pierson	
2/21/21		Dolores A Garcia	131 W Pierson St	
2/21/21		Richard Jackson	149 W. Pierson St	
2/21/21		Susan L Benton	130 W Pierson St	
2/21/21		Holly Mitchell	155 W Pierson St	
2/21/21		Roland Rogeon	635 W. Hazelwood St	155-34-100
2/21/21		Lyndia St Lawson	635 W. Hazelwood St	155-34-100
2/21/21		Patricia Pace Anderson	143 West Pierson St	
2/23/21		Sativa Peterson	140 W. Pierson St.	
2/23/21		Joe Doe	167 W. Pierson St.	
2/23/21		Gretchen Smidt	306 W. Pierson St.	
2/23/21		Hudi Justin	310 W. Pierson St	
2/23/21		AL [illegible]	601 W. Pierson St	
2/23/21		Jordan [illegible]	603 W Pierson St	
2/25/21		William Orr	54 W Mariposa St	
2/25/21		Colleen LaRose	518 N. Mariposa St #4	
2/25		Tom Lawery	312 W Mariposa St	
2/25		David Wanger	312 W Mariposa St.	
2/25		Dave Davies	314 W Mariposa St	
2/25		Deanie Davies	314 W Mariposa St	
2/25		[illegible]	515 W Maryle St	
2/25		Sarah Marmaduke	317 W. Mariposa St.	
2/25		Jill Hassett	316 W. Mariposa	
2/25		Michael Hassett	316 W. Mariposa	
2/25		Raymond Peterson	521 W Mariposa St	

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Date	Signature	Print Name	Address	APN
2/25/21		NICK NGUY	521 W MARIPOSA ST.	
2/27/21		Lorraine Hoekstra	502 W Mariposa	
2/25/21		Tom Henderson	348 W mariposa	
2/25/21		Dolores Henderson	348 W mariposa	
2/26/21		Nancy G McMillan	151 W. Mariposa St	
2/26/21		RAY MUCH	102 W. PIERSON ST	
2/25/21		JOHN Tunnell Much	106 O. PIERSON ST 85013	
2/22/21		ERIK FINK	4718 N. 3RD AVE 85013	
2/27/21		Amy Peterson Pukstaite	533 W. Mariposa	
2/27/21		Carl Hecker	514 W. Mariposa	
2/27/21		Cory Brent	514 W. Mariposa St	
2/27/21		John Augunstein	514 W. Mariposa St	
2/27/21		JDAVID EISBECKER	522 W. MARIPOSA ST	
2/27/21		[illegible]	537 W MARIPOSA ST.	
2/27/21		KEVIN J. LOZIER	539 W. MARIPOSA ST.	
2/27/21		Amy Alexander	540 W Mariposa #2	
2/27/21		Ian Hutchinson	510 W. Mariposa St	

Petition AGAINST rezoning from R3/R5 to WU
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Date	Signature	Print Name	Address	APN
02/28/21		Beverley Bodiroga	149 W. Mariposa St. 85013	155-28-098

Petition AGAINST rezoning from R3/R5 to WU
REZONING APPLICATION # **Z-56-20-4**

Request: **R3/R5 - WU**
Location: **SE Corner of 3rd Ave and Coolidge St**

We the undersigned are RESIDENTS of property within the Pierson Place and Yaple Park historic neighborhoods. We stand AGAINST the rezoning effort by the developers to increase the number of units, increase height, decrease of ample parking and decrease ingress(easement). This type of zoning belongs on a major road like Camelback or Central Ave not in the heart of a historic neighborhood. The neighborhood, Pierson Place, is closed to the south by the canal, has limited access to the east and north by the light rail and has suicide lanes to the west during peak times of day. We ask the zoning remain at the historic R3/R5.

Date	Signature	Print Name	Address	APN
2/21/21		Nicholas Banks	304 W Campbell Ave	155-34-111A
2/23/21		ROBERT BENAVIDEZ	305 W CAMPBELL AVE	155-33-074
2/28/21		Joseph Prevost	306 Minnezona Ave	155-34-107
2/28/21		Zosha Meadows	3016 Roma Ave	155-33-075
2/28/21		ARMANDO DUARTE	509 W. MINNEZONA	155-34-136
2/28/2021		VIRIANA DUARTE	509 W. MINNEZONA AVE	155-34-136

Petition AGAINST rezoning from R3/R5 to WU
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Request: **R3/R5 - WU**
Location: **SE Corner of 3rd Ave and Coolidge St**

We the undersigned are OWNERS of property within the Pierson Place and the Carnation Association neighborhoods. We stand AGAINST the rezoning effort by the developers to increase the number of units, increase height, decrease of ample parking and decrease ingress(easement). This type of zoning belongs on a major road like Camelback or Central Ave not in the heart of a historic neighborhood. The neighborhood, Pierson Place, is closed to the south by the canal, has limited access to the east and north by the light rail and has suicide lanes to the west during peak times of day. We ask the zoning remain at the historic R3/R5.

We will fill in parcel #'s

Date	Signature	Print Name	Address	APN
2/25/21	Brian Wnek	Brian Wnek	328W Campbell	155-34-121
2/27/21		KAREN MONROE	303 W. HAZELWOOD	155-34-086
2/27/21	Malena Gross	Malena Gross	206 W. Turney	155-30-030
2/27		Jeff Lapesa	4504 N Valerie Place	155-29-002
2/28	Heather Marek	Heather Marek	4501 N. Valerie Place	155-29-009
2/28		MATTHEW TREFRIATOWSKI	4501 N. Valerie Place	155-29-009

Petition AGAINST rezoning from R3/R5 to WU
REZONING APPLICATION # **Z-56-20-4**

Request: **R3/R5 - WU**
Location: **SE Corner of 3rd Ave and Coolidge St**

We the undersigned are OWNERS of property within the Pierson Place and Yaple Park historic neighborhoods. We stand AGAINST the rezoning effort by the developers to increase the number of units, increase height, decrease of ample parking and decrease ingress(easement). This type of zoning belongs on a major road like Camelback or Central Ave not in the heart of a historic neighborhood. The neighborhood, Pierson Place, is closed to the south by the canal, has limited access to the east and north by the light rail and has suicide lanes to the west during peak times of day. We ask the zoning remain at the historic R3/R5.

Date	Signature	Print Name	Address	APN
2-26	Megan Simoes	Megan Simoes	535 W Hazelwood St	155-34-097
2-28	[illegible]	[illegible]	515 W Hazelwood St	155-34-096
2-28	[illegible]	Derek Ackmire	330 W Hazelwood St.	155-34-057A
2-28	[illegible]	Deborah Hanrahan-Smith	330 W. Hazelwood St.	155-34-057A
2-29	[illegible]	Charles E. Apodaca	126 W. Highland Ave	155-28-044
2/28	[illegible]	Krista Hanson	305 W. Highland Ave	155-34-005
2/29/01	[illegible]	Amy Dy	169 W. Highlands	155-29-076

Petition AGAINST rezoning from R3/R5 to WU REZONING APPLICATION # **Z-56-20-4**

Request: **R3/R5 - WU**
Location: **SE Corner of 3rd Ave and Coolidge St**

We the undersigned are OWNERS of property within the Carnation historic neighborhoods. We stand with Pierson Place AGAINST the rezoning effort by the developers to increase the number of units, increase height, decrease of ample parking and decrease ingress(easement). This type of zoning belongs on a major road like Camelback or Central Ave not in the heart of a historic neighborhood. The neighborhood, Pierson Place, is closed to the south by the canal, has limited access to the east and north by the light rail and has suicide lanes to the west during peak times of day. Their increased traffic and parking will encroach into our neighborhood. We ask the zoning remain at the historic R3/R5.

Date	Signature	Print Name	Address	APN
2/28/21	[signature]	AIMEE POSIVAK	2017 W Campbell Ave	155-30-017A
2/28/21	[signature]	FELIPE CARRASCO	213 W CAMPBELL AVE	155-30-013
2/28/21	[signature]	LISA DAVIDSON	211 W CAMPBELL AVE	155-30-014
2/28/21	[signature]	Jenn Newhouse ↳ Resident w/ consent of owner who is my GF.	320 W. Roma Ave.	155-33-082

Petition AGAINST rezoning from R3/R5 to WU REZONING APPLICATION # **Z-56-20-4**

Request: **R3/R5 - WU**
Location: **SE Corner of 3rd Ave and Coolidge St**

We the undersigned are OWNERS of property within the Pierson Place and Carnation historic neighborhoods. We stand with Pierson Place AGAINST the rezoning effort by the developers to increase the number of units, increase height, decrease of ample parking and decrease ingress(easement). This type of zoning belongs on a major road like Camelback or Central Ave not in the heart of a historic neighborhood. The neighborhood, Pierson Place, is closed to the south by the canal, has limited access to the east and north by the light rail and has suicide lanes to the west during peak times of day. Their increased traffic and parking will encroach into our neighborhood. We ask the zoning remain at the historic R3/R5.

Date	Signature	Print Name	Address	APN
19Mar2021	[signature]	Dawn Hemmerle	536 W Turney Ave	
03/16/2021		Judith Thom	534 W Turney Ave	

Petition AGAINST rezoning from R3/R5 to WU
REZONING APPLICATION # **Z-56-20-4**

Request: **R3/R5 - WU**
Location: **SE Corner of 3rd Ave and Coolidge St**

We the undersigned are OWNERS of property within the Pierson Place and Yaple Park historic neighborhoods. We stand AGAINST the rezoning effort by the developers to increase the number of units, increase height, decrease of ample parking and decrease ingress(easement). This type of zoning belongs on a major road like Camelback or Central Ave not in the heart of a historic neighborhood. The neighborhood, Pierson Place, is closed to the south by the canal, has limited access to the east and north by the light rail and has suicide lanes to the west during peak times of day. We ask the zoning remain at the historic R3/R5.

Date	Signature	Print Name	Address	APN
3/8/21		Vance Lee	528 W Roma Ave	
3/8/21		Cynthia Lee	528 W Roma Ave	
3/8/21		Brianna Klink	526 W Roma Ave	
3/8/21		K.T. Hanson	613 W Roma Ave	
3/9/21		Monica Roberts	315 W. Maryann St	
3/9/21		Philip Hurley	310 W. Mariposa St	
3/9/21		DAVID WALKER	312 W. Mariposa Street	
3/9/21		Latisha Smidt	301 W. Mariposa	
3/9		"	302 W Pierson	
3/9		Brooke Sanders	410 W. Coolidge	
3/9		GARY LUTTON	315 W PIERSON ST	
3/9		LaRay Lee	118 W Pierson St	
3/9		Nicole Eagan	125 W Pierson St.	
3/9		Nic Tamborino	120 W Pierson St	

Dillon Hall
324 West Minnezona Avenue
Phoenix, Arizona 85013
March 29, 2021

Phoenix City Council
c/o
Racelle Escolar, Planner III
PDD, Planning Division
(602) 534-2864

Re: Analysis of WU Code as it related to the Council's consideration of Z-56-20-4

Dear Councilperson Pastor,

This letter is submitted to clarify and expound upon the analysis previously submitted by Ron Szmatowicz, the appellant in Case Z-56-20-4, and to provide additional authorities that are relevant to Trinsic Residential Group's ("Trinsic's") application to rezone approximately 3 acres at the southeast corner of N. 3rd Ave. and W. Coolidge St. ("subject site") from multifamily R-3 and R-5 to Walkable Urban Code ("WU Code") Transect 5:5. The application must be denied because (1) The subject property is not located within the area circumscribed by City's current Transportation Overlay District ("TOD") or Master Plan/Walkable Urban Code ("Master Plan") and (2) Even if the site were located in the TOD or an area that is subject to the WU Code, the proposed development's scale and density are not consistent with the surrounding 1- and 2-story historic structures and setbacks of surrounding properties.

1. The City should deny Trinsic's application under the WU Code because the subject site was excluded from the City's most recent iterations of the TOD and Master Plan.

When the City constructed the light rail, it designated the area on either side of the light rail route as the TOD, which was intended for higher density development to promote ridership on the light rail. In 2015, Chapter 13 was added to the City Code to create a Walkable Urban Code "to implement the vision and policies of the [TOD] Policy Plans" for certain neighborhoods,

including Uptown, where the subject site is located, and to "encourage an appropriate mixture and density of activity around transit stations . . . ." Code Section 1301(B). A map appended to the 2015 version of Chapter 13 showed the TOD extending from N. 3rd Ave. to N. 3rd St. along N. Central Ave. in the Uptown Transect District, between Indian School and Camelback Rds. The map also included the disclaimer: "The City Clerk's Office has the official version of the Phoenix Zoning Ordinance. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above."

The Staff Report for Z-56-20-4 stated that Trinsic's plan would serve the goals of the TOD and WU Code. *See* Staff Report at 7-8, Background Items Nos. 5 and 6. Since 2015, however, the City has refined the crude map appended to Chapter 13 to exclude certain sites, including the subject site, from the TOD. *See* Exhibit 1 (Interim Transit-Oriented Zoning Overlay District One (TOD-1)). Similarly, the City's current Master Plan excludes the subject site from the Master Plan. *See* Exhibits 2, 3, 4 (Master Plan, Uptown-TOD Policy Plan and Walkable Urban Code fo the Uptown District).

Developers should not be allowed unilaterally to set the course of the City's development against the City's plan to preserve certain areas for other uses, to the detriment of well-established residential neighborhoods. Because the subject site is not included in the current TOD or Walkable Urban Code area, the City should deny Trinsic's application to rezone the site to WU Code T5:5.

2. The City should deny Trinsic's application because the proposed development's scale and density are not consistent with the surrounding 1- and 2-story historic structures and setbacks of surrounding properties.

Trinsic plans to construct a 4-story + mezzanine, 218-unit luxury apartment complex with only a 10' setback from N. 3rd Ave. and W. Coolidge, which are small local streets. The WU Code provides for a "[m]inimum ten-foot landscape setback . . . ." Section 1303(A)(2)(a).

The Staff Report for Z-56-20-4 describes the neighborhoods surrounding the proposed development, in relevant part as follows:

> *East:* Immediately east of the subject site is a multifamily complex which is zoned R-5 (Multifamily Residence District). . . . [T]he existing buildings do not exceed ***three stories in height***.
>
> *West:* West of the subject site across 3rd Avenue are ***residential structures of a single-story and single-family detached characte***r. . . .
>
> *North:* North of the subject site across Coolidge Street are ***various residential structures ranging from a single-family detached character to small apartment complex, with neither type exceeding two stories***. . . .
>
> *South (the Grand Canal):* South of the subject site is the Grand Canal . . . .

Staff Report at 6 (emphasis added). The Report notes that the subject site is located "within one-quarter mile from two light rail stations," not adjacent to the light rail corridor. *See id.* at 8.

The WU Code's transect districts "vary by the level and intensity of their physical and social character, providing immersive contexts from less intense to more intense urban development." Section 1302(A). The T5:5 Transect district, which designation Trinsic seeks for the parcel, as "[a] ***medium-high intensity mixed-use fabric characterized by a broad mix of buildings that integrate retail, offices, live-work and residential units adjacent to the Light Rail Corridor, averaging 56 to 100 feet in height***." Section 1302(A)(4) (emphasis added). According to the Staff Report, the subject site is surrounded on two sides by predominantly one-story single-family dwellings, a small two-story apartment complex, and, to the east, a three-story apartment complex, averaging, at most, 15 to 35 feet in height. The light rail corridor is at least three blocks away. The subject site does not meet Code requirements for WU Code T5:5.

Chapter 13 does recognize the T3-2 Transect District as "[l]ow-intensity residential fabric characterized primarily by single-family homes and duplexes in relatively large lots with deep setbacks." Section 1302(A)(1). Although this

characterization may fit the neighborhood surrounding the subject site, Trinsic has not requested this zoning classification. Moreover, as noted above, Trinsic's proposed Aura Uptown project has only 10' setbacks from the local streets on which it is located. The 3-story apartment complex on the east has at least 30' setbacks; the setbacks for the single-family detached structures and small apartment complexes surrounding the proposed development have at least 25' to 40' setbacks. Although Chapter 13 provides that "[f]rontage setbacks maybe expanded . . . by 20 percent in order to match adjacent frontage setbacks," Section 1304(B)(1), that would only bring the proposed development's setbacks to 12'. The proposed development would stick out like a sore thumb from adjacent properties.

Conclusion

We do not oppose development in areas that that been designated as the TOD or Walkable Urban Code along the arterial streets on the edges of the Pierson Place and Carnation residential neighborhoods.[1] But Trinsic application in Z-56-20-4 must be denied because (1) The subject property is not located within the area circumscribed by City's current TOD or Master Plan and (2) Even if the site were located in the TOD or an area located in an area that is subject to the WU Code, the proposed development is not consistent with the surrounding 1- and 2-story historic structures and setbacks of surrounding properties.

Respectfully,

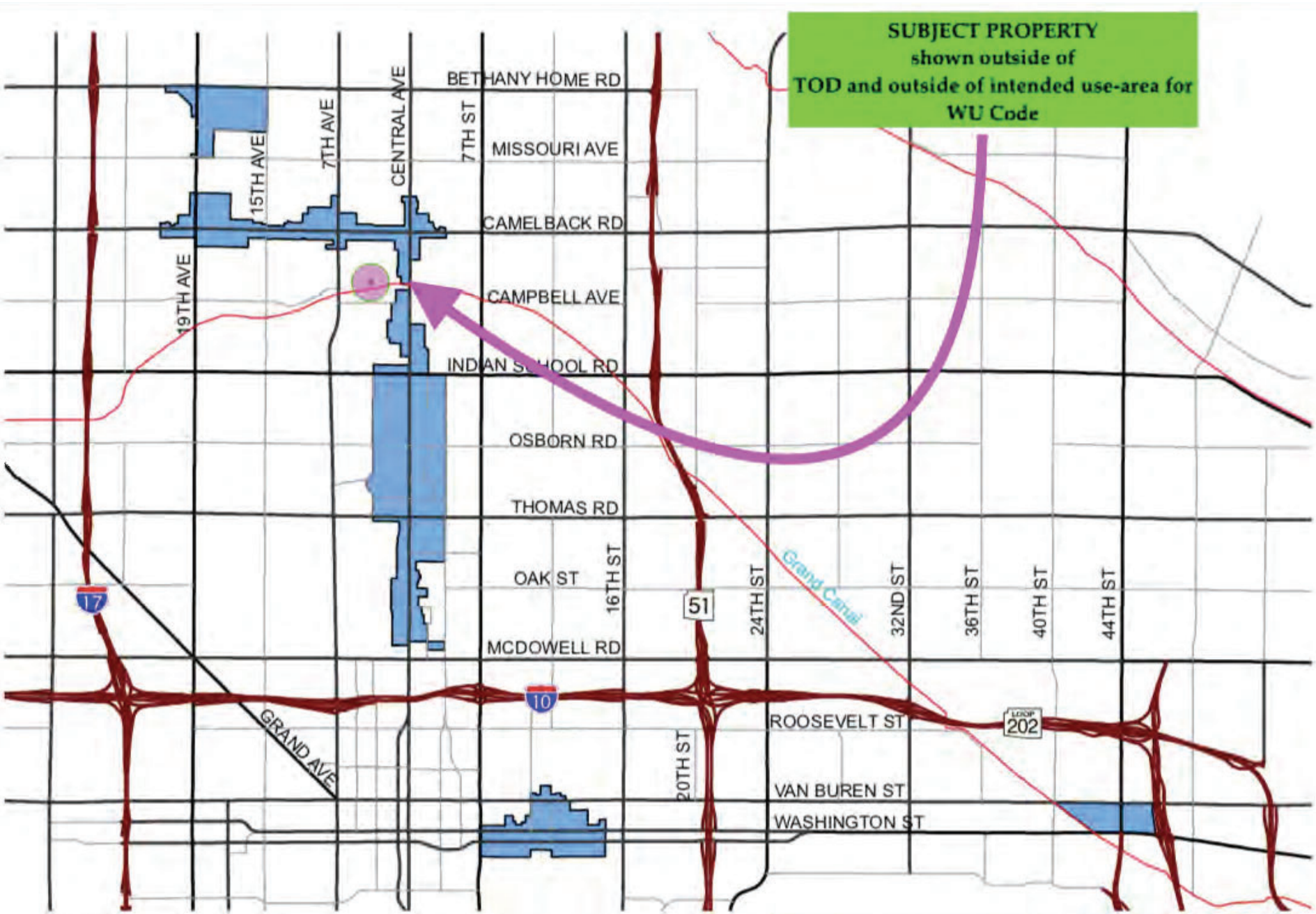


Dillon Hall

Ron Szmatowicz

[1] *See* project at southeast corner of N. 3rd Ave. and W. Indian School Rd. (height & number of towers); other projects?

EXHIBIT I



Interim Transit-Oriented Zoning Overlay District One (TOD-1)

For more information - Call the City of Phoenix Planning and Development Department (602) 262-7811

Regulatory Provisions Include: Prohibited uses, conditional and use permits, non-conforming uses, development standards, street and sidewalk regulations, signage and parking and loading regulations. See Section 662 of the Zoning Ordinance.

City of Phoenix

EXHIBIT
II

MASTER PLAN | WALKABLE URBAN CODE

The Walkable Urban Code plan guides rezoning to the new WU Code. The plan identifies the rezoning locations and intensity level Transect sub-districts that are consistent with the Vision and Master Plan.

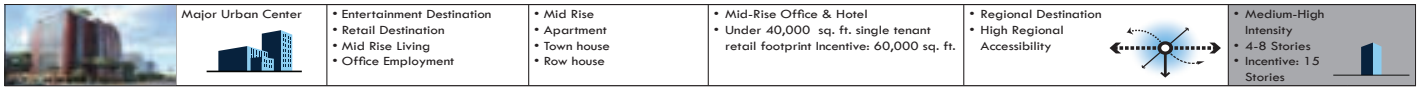
The plan serves as policy guidance and is not regulatory. Additional outreach and research on underlying entitlements and appropriateness of specific properties will be conducted during the rezoning process.

Framework

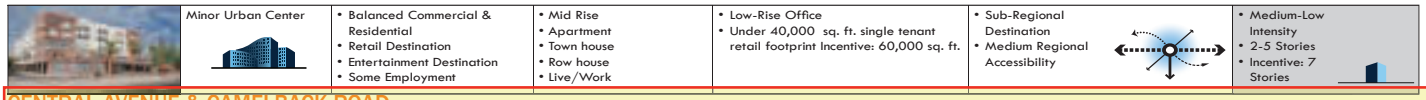
The Transit Oriented Development Strategic Policy Framework document identifies the Placetype for certain light-rail stops within the District.

Like the Conceptual Master Plan, the Placetype models inform the proper scale and character of the Districts, which is then encoded in the Regulating Plan.

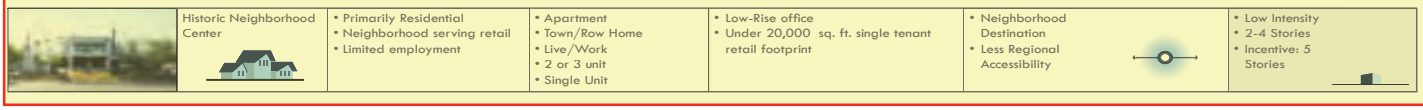
INDIAN SCHOOL ROAD & CENTRAL AVENUE



CAMPBELL AVENUE & CENTRAL AVENUE



CENTRAL AVENUE & CAMELBACK ROAD



7TH AVENUE & CAMELBACK ROAD

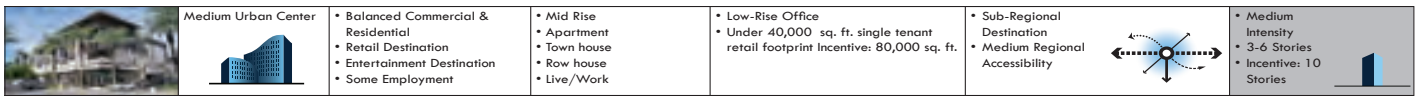
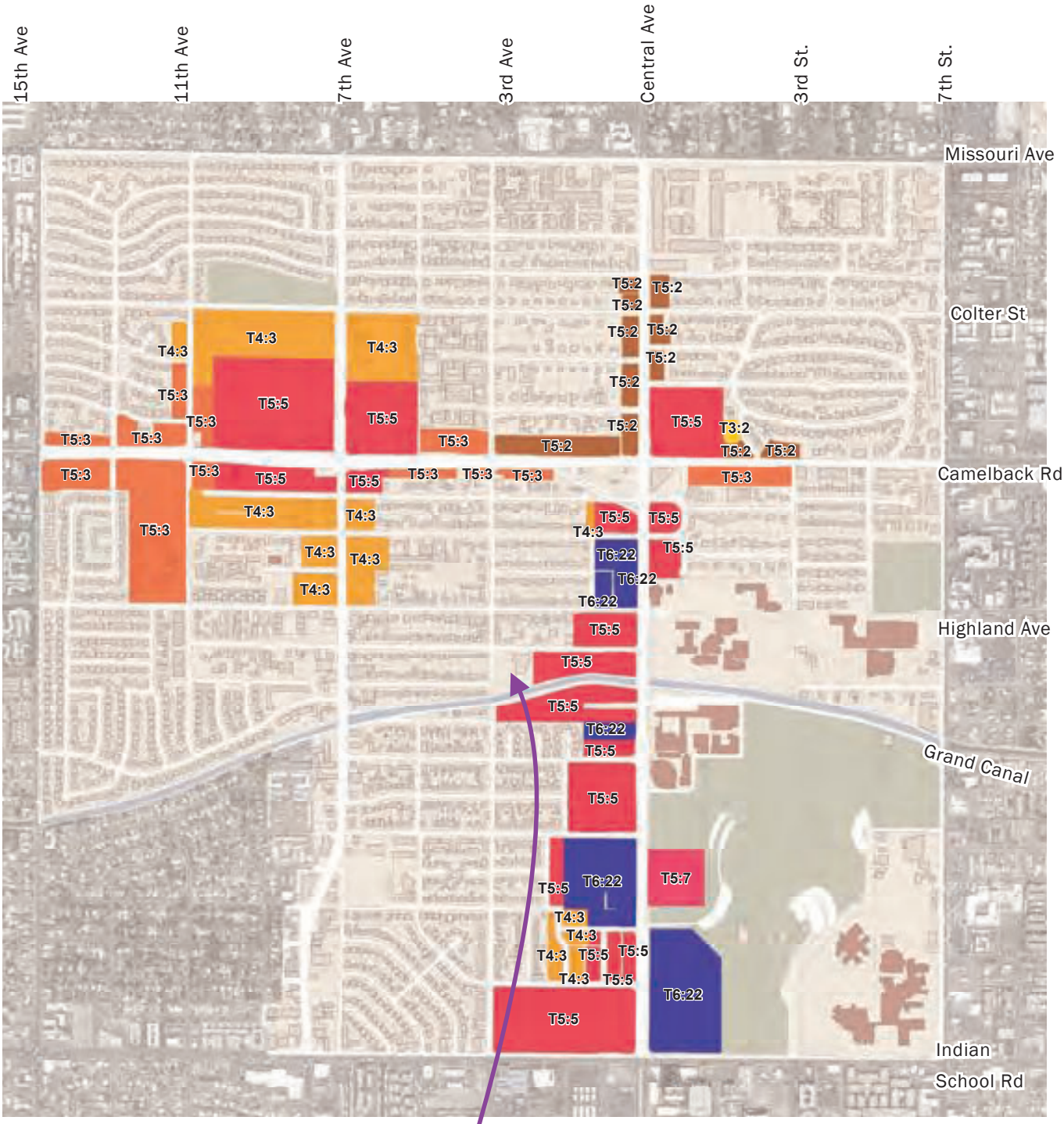


EXHIBIT III


15th Ave
11th Ave
7th Ave
3rd Ave
Central Ave
3rd St.
7th St.
Missouri Ave
Colter St
Camelback Rd
Highland Ave
Grand Canal
Indian School Rd
T4:3
T5:5
T5:3
T5:2
T3:2
T6:22
T5:7
ReinventPHX Conceptual Zoning Plan
SUBJECT PROPERTY
N

From:	DIANE L MIHALSKY
To:	Mayor Gallego; Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Nick Klimek
Subject:	Z-56-20-4 (scheduled for 4/7 at 2:30 p.m., item 114)
Date:	Monday, April 5, 2021 10:16:08 AM

My name is Diane Mihalsky. I have lived at 304 W. Campbell Ave., across the canal from Trinsic's proposed development, since 1986. This is the first time I have ever formally opposed a proposed development.

I oppose Trinsic's request for Walkable Urban ("WU") Code T5:5 zoning because the proposed 56' high project (4 stories + a mezzanine) with 10' setbacks is too tall and has insufficient setbacks to fit in with the mostly single-story homes with large, lush irrigated lots on two sides of the proposed development under the City's own WU Code. The development will line Trinsic's pockets while undermining the long-term efforts and investment of homeowners adjacent to and near the property. The WU Code recognizes the value that established, vibrant small scale neighborhoods bring to the City. Trinsic will sell its property and move on, while those of us who are most invested in the neighborhood will be stuck with the detritus of the City's zoning mistake. Potential residents are not looking to purchase or move into properties across the street from such an imposing and glaringly inappropriate structure.

Because the proposed project does not comply with the WU Code, I do not understand why staff approved Trinsic's application. On January 26, 2021, the Alhambra Village Planning Committee ("VPC") also approved Trinsic's request for rezoning in a 15-1-0 vote. On March 12, 2021, I filed an ethics complaint against Charley Jones, a member of the Alhambra VPC, because he voted to grant Trinsic's application, even though he owned and was attempting to sell for a substantial profit three small commercial properties up the street. These properties' value has been increased by the Alhambra VPC's and Planning Commission's preliminary grant of Trinsic's rezoning application. As of this date, my ethics complaint is still pending. I have been told that the City Council will consider the ethics complaint a week after it determines the merits of Trinsic's application.

I am confounded by the City's scheduling of consideration of the ethics complaint after the rezoning application. Charley Jones' conflict of interest taints the entire proceeding. If the City Council determines to grant Trinsic's rezoning application, despite Trinsic's failure to comply with the WU Code and Charley Jones' involvement in the City's adjudication of Trinsic's application, the Council will perform a grave disservice to the homeowners who have done their best to make Uptown a desirable place to live. We support the City's desire to bring 170,000 new residents within a 30-minute drive of the light rail. But there are more appropriate ways to increase housing along the light rail that complies with the WU Code, respects current residents, and reflects the area's historic status. Not only have local homeowners accepted many other larger developments in the area, but if the City allowed them to build accessory mother-in-law suites or guesthouses on their properties, owners who are committed to the area would build many more rental units than the 218 units that Trinsic proposes to build.

Thank you for considering this email.

Petition AGAINST rezoning from R3/R5 to WU
REZONING APPLICATION # **Z-56-20-4**

Request: **R3/R5 - WU**
Location: **SE Corner of 3rd Ave and Coolidge St**

We the undersigned are OWNERS of property within the Pierson Place and Yaple Park historic neighborhoods. We stand AGAINST the rezoning effort by the developers to increase the number of units, increase height, decrease of ample parking and decrease ingress(easement). This type of zoning belongs on a major road like Camelback or Central Ave not in the heart of a historic neighborhood. The neighborhood, Pierson Place, is closed to the south by the canal, has limited access to the east and north by the light rail and has suicide lanes to the west during peak times of day. We ask the zoning remain at the historic R3/R5.

Date	Signature	Print Name	Address	APN
4/4/21	[signature]	Anne Skenadore	318 W. Roma Ave	
4/4/21	[signature]	William Skenadore	318 W. Roma Ave	
4/5/21	[signature]	REBECCA THOMAS	334 W. ROMA AVE	
4/5/21	[signature]	Susan Contreras	326 W. Roma Ave	

Attachment D

REPORT OF PLANNING COMMISSION ACTION
May 6, 2021

ITEM NO: 15	
	DISTRICT NO.: 4
SUBJECT:	
Application #:	**Z-56-20-4 (Aura Uptown PUD)**
Location:	Southeast corner of 3rd Avenue and Coolidge Street
From:	R-3 and R-5
To:	PUD
Acreage:	3.29
Proposal:	Planned Unit Development for multifamily residential
Applicant:	T. Gosselink, Trinsic Residential Group
Owner:	Donor Network of Arizona
Representative:	Jason Morris, Withey Morris, PLC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation: Did not hear request for PUD.

Planning Commission Recommendation: Approval, per the Addendum A Staff Report with a modified stipulation and additional stipulations.

Motion Discussion:

Commissioner Howard made a MOTION to approve Z-56-20-5, per Addendum A of the Staff Report.

Commissioner Johnson made a substitute motion to approve Z-56-20-5, per Addendum A of the Staff Report with additional stipulations to include that 20 percent open space (including the canalscape) be required; that half the existing trees along the perimeter of the site must be salvaged, and if unsalvageable then replaced with a minimum four-inch caliper tree or two, two-inch caliper trees; and a modification of the maximum height on the north and west property lines to 48 feet.

Commissioner Busching asked for a friendly amendment to increase the landscape setback along the south property line.

Commissioner Johnson did not accept the amendment and responded that the increase in open space will result in additional landscaping.

Commissioner Busching agreed.

Ms. Racelle Escolar asked for clarification on the motion.

Commissioner Johnson clarified that his motion is to approve Z-56-20 per Addendum A of the Staff Report and added stipulations to require that the developer increase the open space,

which includes the canalscape to 20 percent, with 75 percent being public open space, that at least half of the existing trees shall be salvaged along the perimeter of the property and if unsalvageable to replant a minimum four-inch caliper tree or two, two-inch caliper trees, and that the maximum building height be 48 feet on the north and west property lines.

Ms. Escolar responded that the additional open space stipulation would be an amendment to the PUD Development Standards to change it from 10 percent to essentially 15 percent for publicly accessible open space and 5 percent general open space (including the canalscape). She verified that the additional stipulation for salvaging trees would be for the existing trees on the north and west property lines and stated that the provision can be added to the landscape section of the PUD. She asked if the height limitation of 48 feet was only for the units along the north and west or for a specific segment of the portions of the buildings.

Commissioner Johnson stated that the buildings on the south and east can go up to 56 feet and the buildings on the north and west can go up to 48 feet.

Ms. Escolar verified that the maximum height requirements in the PUD Development Standards, can be modified to limit the building height of the units along the north and west portions of the building to 48 feet in height.

Commissioner Busching seconded the substitute motion.

Commissioner Gorraiz stated that he was in opposition to the substitute motion due to the significant increase in open space and number of changes.

Commissioner Gaynor explained that this is a recommendation and City Council can accept or deny the recommendation and feels comfortable with the motion.

Vice-Chairperson Howard stated the site is an infill site and open space is difficult to come by without using units and economically can be difficult.

Motion details: Commissioner Johnson made a MOTION to approve Z-56-20-5, per Addendum A of the Staff Report with additional stipulations to update the PUD Narrative to require 15 percent publicly accessible open space and 5 percent general open space (including the canalscape), and requiring that half of the trees along the north and west perimeter be salvaged, and if unsalvageable to be replaced with a four-inch caliper tree or two, two-inch caliper trees; and a modified stipulation to limit the building height of the units along the north and west portions of the building to 48 feet in height, and the remaining portions of the building can be 56 feet.

Maker: Johnson
Second: Busching
Vote: 6-3 (Gorraiz, Howard, Perez)
Absent: None
Opposition Present: Yes

Findings:

1. The proposal is consistent with the General Plan Land Use Map designation of Residential 15+ Dwelling Units Per Acre and the TOD Strategic Policy Framework Minor Urban Center Place Type designation.

2. The development advances the vision and recommendations contained in the Uptown Transit Oriented Development Plan and will support pedestrian oriented development near the light rail and multiple urban bikeways.

3. The proposal will create additional housing options for the significant number of residents in the Uptown TOD District.

Stipulations:

1. ~~The south facing mass of the building(s) oriented to the Grand Canal shall incorporate Walkable Urban Code Frontage Types described in Section 1305 for a minimum 40 percent of the building face(s), as approved by the Planning and Development Department. For the purpose applying the above provisions, the above shall be treated as a Secondary Frontage with regard to glazing.~~

   AN UPDATED DEVELOPMENT NARRATIVE FOR THE AURA UPTOWN 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 APRIL 29, 2021, AS MODIFIED BY THE FOLLOWING STIPULATIONS:

   A. FRONT COVER: REVISE THE SUBMITTAL DATE INFORMATION ON THE BOTTOM TO ADD THE FOLLOWING: CITY COUNCIL ADOPTED: [ADD ADOPTION DATE].

   B. PAGE 8, DEVELOPMENT STANDARDS TABLE, BUILDING HEIGHT: MODIFY BUILDING HEIGHT STANDARD TO READ AS FOLLOWS: ~~A MAXIMUM HEIGHT OF 48 FEET FOR ALL BUILDINGS EXCEPT FOR THE PARKING GARAGE WHICH SHALL BE A MAXIMUM HEIGHT OF 56 FEET."~~

   NORTH STREET FRONTAGE/WEST STREET FRONTAGE: 48 FEET
   (UNITS ALONG THE NORTH AND WEST)

   EAST FRONTAGE/SOUTH FRONTAGE: 56 FEET

   C. **PAGE 8, DEVELOPMENT STANDARDS TABLE, MINIMUM OPEN SPACE: MODIFY MINIMUM OPEN SPACE STANDARD TO READ AS FOLLOWS:**

   15% PUBLICLY ACCESSIBLE OPEN SPACE
   5% GENERAL OPEN SPACE
   (INCLUDING CANALSCAPE)

   ~~C~~D. PAGE 9, LANDSCAPE DEVELOPMENT STANDARDS TABLE, CANALSCAPE; MODIFY THE FIRST BULLET POINT TO READ AS

FOLLOWS: A PUBLICLY ACCESSIBLE LANDSCAPED GREENSPACE AREA SHALL BE PROVIDED ADJACENT TO THE ARIZONA GRAND CANAL TRAIL ON THE SOUTH SIDE OF THE PROPERTY. AT MINIMUM, THE GREEN SPACE AREA WILL MEASURE 4,800 SQUARE FEET, 15 FEET IN DEPTH FOR A DISTANCE OF 260 FEET, 7 FEET IN DEPTH FOR A DISTANCE OF 70 FEET, AND SHALL BE GENERALLY CONSISTENT WITH THE LANDSCAPE PLAN IN EXHIBIT 7. A MINIMUM OF 3 PEDESTRIAN AMENITIES, WHICH COULD INCLUDE BUT ARE NOT LIMITED TO, BENCHES AND SHADE CANOPIES SHALL BE PROVIDED WITHIN THE LANDSCAPE AREA.

E. PAGE 9, LANDSCAPE DEVELOPMENT STANDARDS TABLE, STREETSCAPE (COOLIDGE STREET AND 3RD AVENUE FRONTAGES); ADD A BULLET POINT TO READ AS FOLLOWS: HALF OF THE TREES ALONG THE NORTH AND WEST PERIMETER SHALL BE SALVAGED, AND IF UNSALVAGEABLE THEY MUST BE REPLACED WITH A MINIMUM 4-INCH CALIPER TREE OR TWO 2-INCH CALIPER TREES.

~~2. The south facing mass of the building(s) oriented to the Grand Canal shall contain architectural embellishments, design detailing, and / or space programming to activate and provide visual access onto the canal, as approved by the Planning and Development Department. Examples of appropriate enhancements may include textural changes, offsets, recesses, variation in window size and location, overhang canopies, balconies with a depth greater of than 3 feet, and amenities such as gathering spaces.~~

~~3. Between the southern mass of the building and the south property line (the Grand Canal right-of-way), the developer shall plant minimum 3-inch caliper, large canopy shade trees, at a minimum frequency of 25 feet on center or in equivalent groupings, as approved or modified by the Planning and Development Department.~~

~~4. The provisions of Section 1310.A.2 of the Phoenix Zoning Ordinance shall apply to require shaded open space of which a minimum 50 percent shall be situated adjacent to the south property line (the Grand Canal right-of-way), as approved or modified by the Planning and Development Department.~~

~~5. No solid perimeter wall greater than 36 inches in height shall be oriented to and located within 30 feet of the south property line (the Grand Canal right-of-way), as approved by the Planning and Development Department.~~

~~6. The developer shall provide traffic calming to slow vehicle traffic exiting the property with specific regard to pedestrian safety on the public sidewalk, as approved by the Planning and Development Department.~~

~~7. The developer shall provide a minimum of two direct and accessible pedestrian connections from the amenity areas located south of the building mass to the shared use path along the Grand Canal Trail, as approved by the Planning and Development Department.~~

~~8. The developer shall provide and maintain the following bicycle infrastructure as described below and as approved by the Planning and Development Department.~~

~~a. A bicycle repair station (fix-it station) along the southern edge of the site, visible, and accessible from the public sidewalk and / or the Grand Canal Trail. The station shall include but not limited to: standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while adjusting the bike.~~

~~b. All required bicycle parking for multifamily use, per Section 1307.H.6.d of the Phoenix Zoning Ordinance, shall be secured parking.~~

~~c. Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 spaces near entrances of buildings and installed per the requirements of Section 1306.H. of the Phoenix Zoning Ordinance.~~

~~9.~~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.

~~10.~~3. This parcel is in a Special Flood Hazard Area (SFHA) called Zone A, on panel 1740 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013. The following requirements shall apply, as approved by the Planning and Development Department:

a. The Architect/Engineer is required to show the floodplain boundary limits on the Grading and Drainage plan and ensure that impacts to the proposed facilities have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3); this includes, but not limited to provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.

b. A copy of the Grading and Drainage Plan shall be submitted to the Floodplain Management section of Public Works Department for review and approval of Floodplain requirements.

c. The developer shall provide a FEMA approved CLOMR-F or CLOMR prior to issuance of a Grading and Drainage permit.

~~11.~~4. 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.

~~12.~~5. 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.~~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.

~~14.~~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.

This publication can be made available in alternate format upon request. Please contact Tamra Ingersoll at (602) 534-6648, 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:** **MAY 19, 2021**					
APPLICATION NO/ LOCATION	**Z-56-20-4** Southeast corner of 3rd Avenue and Coolidge Street	***(SIGNATURE ON ORIGINAL IN FILE)***			
		opposition	**x**	**applicant**	
Phoenix, AZ 85013	PC 5/6/2021	308 West Coolidge Street Phoenix, AZ 85013			
	PC DATE	*STREET/ADDRESS/CITY/STATE/ZIP*			
TO PC/CC HEARING	CC 5/19/2021	Ron Szematowicz 602-748-5607 pjharveytrack12@yahoo.com			
	CC DATE	*NAME / PHONE / EMAIL*			
REASON FOR REQUEST: We do not agree with the stipulations of the PUD from the Planning Commission. We want further negotiations under the PUD.					
RECEIVED BY:	Kim Steadman	**RECEIVED ON:**		5/7/2021	

Alan Stephenson
Joshua Bednarek
Tricia Gomes
Racelle Escolar
Stephanie Vasquez
David Urbinato
Vikki Cipolla-Murillo
Danielle Jordan
Ra'Desha Williams
Nick Klimek
Samantha Keating
Paul M. Li
Applicant

City of Phoenix

CITY OF PHOENIX

MAY 07 2021

Planning & Development Department

The PLANNING COMMISSION agenda for **May 6, 2021** 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. **May 13, 2021**.

   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., **May 13, 2021**.

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. **May 13, 2021**.

   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. **May 20, 2021**.

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

Z-56-20-4
APPLICATION NO.

3RA Ave & Coolidge St.
LOCATION OF APPLICATION SITE

6-6-21
DATE APPEALED FROM

☒ OPPOSITION
☐ APPLICANT

Kim Steadman
PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL.

Ron Szematowicz
PRINTED NAME OF PERSON APPEALING

SIGNATURE

308 W. Coolidge St.
STREET ADDRESS

5/7/2021
DATE OF SIGNATURE

Phoenix AZ 85013
CITY, STATE & ZIP CODE

602-748-5607
TELEPHONE NO

PJHARVEYTRACK12@yahoo.com
EMAIL ADDRESS

REASON FOR REQUEST

We dont agree with the stipulations of the PUD from the planning commission, we want for further negotiations under the PUD.

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

Attachment F

Racelle Escolar

From: Olga Petkova <olgapetkova@hotmail.com>
Sent: Thursday, May 6, 2021 11:47 AM
To: PDD Planning Commission
Subject: In opposition/z-54-20-4

Dear members of the planning commission,

As of this morning at 11am May 6th, members of the opposition still have not seen the new site plans. We have asked for a continuance and we are surprised it has not been granted as of yet seeing how we are expected to take a stance at tonight's meeting. The PUD was remanded from City Council skipping normal steps (including Alhambra) which would have allowed us to have ample time to review the new site plans and documents. We have not asked for a single continuance up to this point.

We are hoping the PUD can work as it has the potential to benefit everyone including the city's vision of the Grand Canal-scape. As the PUD stands, it does not work for the neighborhood. It is still very close to the WU T5:5 in density, vehicles, units, height of the parking garage, and lack of appropriate parking spaces.

Trinsic has gained 45 units from the R3/R5. They have gone from 218 to 210 with 165 being the maximum are R5 would allow. That is not a compromise. They have gained a 56 foot parking structure but they have REDUCED the number of parking spots since the City Council Meeting from 303 to 292. At 266 beds (210 units), that leaves 26 parking spots for couples and guests. That is unacceptable as this development is deep within our neighborhood. We agreed to 20 foot setbacks with the understanding we were gaining 8 to 10 feet in setbacks (north and west sides) from the previous rendering but this does not look to be the case based on a graphic that was sent to us a day ago. We need to see those site plans.

If you have not received ample letters of opposition, it is because we were trying to work with the PUD but at this point Trinsic is content with what they have and will not further reduce their density. The Dwelling Unit Density maximum for an R5 with bonuses is 52.20. Currently Trinsic is at a dwelling urban density of 63.63. In order for the Dwelling Urban Density to be at the maximum R5 with bonuses, Trinsic would have to bring their unit count down to 173.

210 units / 3.3 gross acres = 63.63 dwelling unit density
174 units / 3.3 gross acres = 52.72 dwelling urban density

We are open to working with this PUD as we do believe it could benefit all parties involved, but as of right now it hurts the neighborhood and we are forced to look back at the R3/R5. If we could get further concessions on unit counts/ parking spots in the PUD we could come back to the table. Without seeing a site plan, you are allowing us to go into this blind.

Please give us our continuance,

Olga Petkova

Sent from my iPhone

Racelle Escolar

From: Ivo Petkov <ivokpetkov@gmail.com>
Sent: Thursday, May 6, 2021 11:50 AM
To: PDD Planning Commission
Subject: In opposition / z-56-20-4

Dear members of the planning commission,

As of this morning at 11am May 6th, members of the opposition still have not seen the new site plans. We have asked for a continuance and we are surprised it has not been granted as of yet seeing how we are expected to take a stance at tonight's meeting. The PUD was remanded from City Council skipping normal steps (including Alhambra) which would have allowed us to have ample time to review the new site plans and documents. We have not asked for a single continuance up to this point.

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Please give us our continuance,

Ivo Petkov

Sent from my iPhone

Racelle Escolar

From: nancygmcmillan@q.com
Sent: Thursday, May 6, 2021 12:25 PM
To: PDD Planning Commission
Subject: RE: 3rd Av & Coolidge project

Sorry need to state need a continuance until we can see site plans and discuss with our neighborhood

---

From: nancygmcmillan@q.com <nancygmcmillan@q.com>
Sent: Thursday, May 6, 2021 12:20 PM
To: 'pdd.planningcomm@phoenix.gov' <pdd.planningcomm@phoenix.gov>
Subject: 3rd Av & Coolidge project

Team,
I hope all is well? I am writing regarding the project development on 3rd Av & Coolidge. We were unaware that if we opposed or approved that we were to email you all.

My name is Nancy G. McMillan and I live at 151 W Mariposa St, Phoenix, AZ 85013. While I appreciate the PUD recommendation from Laura we have some concerns.

I am in opposition for the following reasons:

- Have not seen plan or site plans after the original was declined
  - Things that were recommended we have no way to verify
  - For example we got some pictures of the new proposal, but there are no setbacks
- TRAFFIC
  - No traffic study done and this is a major concern
- Parking
  - While everyone says permit parking is going to be done this is the responsibility of the neighborhood not the developer and council
  - They have supposedly decreased parking which is unacceptable especially if a taller unit
  - Need to make sure they have plenty of visitor parking
- Setbacks
  - They are not shown in the pictures we have received
  - Setbacks should be 33' wide and grass over the 16'6" grassed over
- THIS IS NOT AN ARTERIAL ROAD
  - These size and types of apartments are appropriate for arterial roads not internal to a neighborhood
  - This should not be any higher than other apartments in the neighborhood

I think this is enough for now.
Nancy,

Virus-free. www.avg.com [avg.com]
[avg.com]

Racelle Escolar

From: Tania Bachelot <tania.bachelot@gmail.com>
Sent: Thursday, May 6, 2021 2:34 PM
To: Racelle Escolar; PDD Planning Commission

Dear members of the planning commission,

As of this morning at 11am May 6th, members of the opposition still have not seen the new site plans. We have asked for a continuance and we are surprised it has not been granted as of yet seeing how we are expected to take a stance at tonight's meeting. The PUD was remanded from City Council skipping normal steps (including Alhambra) which would have allowed us to have ample time to review the new site plans and documents. We have not asked for a single continuance up to this point.

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Please give us our continuance,

Kind regards,

Tania Petkova Bachelot (Sevigne LLC)
506 W Coolidge street, 85013 Phoenix

Racelle Escolar

From: Adam Ghiz <a.ghiz@me.com>
Sent: Thursday, May 6, 2021 2:57 PM
To: PDD Planning Commission
Subject: Opposition to Z56-20-4 (3rd and Coolidge)

I'm writing to voice my opposition to the modified zoning request for z-56-20 3rd ave and Coolidge

This request was remanded down from city council to be modified into a PUD to try and work with the neighborhood to find a compromise.

It was to address four things, density, traffic, parking and setbacks. So far only one of these has been barely touched. The 20 foot setback is now being interpreted to be less than 20 feet from the curb to building, that aren't materially pushing the building back 20 feet from the curb. The intent of which was to aid in privacy of the neighboring single family homes. The units were reduced by 8 which is only a 4% decrease, again not a substantial change from the original plan. Also, apparently the parking has been reduced as well bringing the available parking percentage to nearly the same as the original design. All of this while the garage is still allowed to be 56 feet tall. I ask you, if they have reduced the parking available, why is the garage still higher than the building? Also, if parking concerns were an issue with the original design, why reduce the number of available spots even more?

The other issue with this is that these plans have not been revealed to the public yet and this meeting is today. How can input be given, if the changes have not been made public? We are losing normal steps in the PUD process here and by not giving access to the changes, we are further being infringed upon.

I feel that the neighborhood is asking for reasonable items and there is room to come to an agreement. I also feel that the spirit of the PUD is not being respected nor is it being used the way it was intended

I feel that this leads one to the conclusion that either this request must be extended to a future meeting where these issues can be address in the proper manner, or this must be denied.

Adam Ghiz
302 W Hazelwood St
Phoenix, AZ 85013

City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Ginger Spencer
Deputy City Manager

Date: May 19, 2021

From: Alan Stephenson
Planning and Development Director

Subject: CONTINUANCE OF ITEM 88 ON THE MAY 19, 2021 - FORMAL AGENDA – PUBLIC HEARING/FORMAL ACTION OF Z-56-20-4 (G-6853)

Item 88, on the May 19, 2021 Formal Agenda, is a request to approve rezoning application Z-56-20-4 located at the southeast corner of 3rd Avenue and Coolidge Street, from R-3 and R-5 (Multifamily Residence Districts) to Planned Unit Development (PUD) for multifamily residential.

This request is to continue the item to June 2, 2021 at the direction of District 4, to allow for the applicant to further address concerns with the proposed project.

Approved:

Ginger Spencer, Deputy City Manager

Attachment: Exhibit A- Applicant request for continuance

From: Jason Morris
To: Alan Stephenson
Subject: Z-56-20
Date: Monday, May 17, 2021 7:06:23 PM

Alan,

Just wanted to confirm with you that the above-referenced case is being continued from the May 19th agenda to the June 2nd agenda per the Councilwoman's wishes. Please let me know if there's anything I can provide you in furtherance of this request. Thank you.

Jason Barclay Morris
Withey Morris, PLLC

This e-mail, and any attachment(s), is intended only for the person or entity to which it is addressed and may contain information that is privileged, confidential or otherwise protected from disclosure. Dissemination, distribution or copying of this e-mail or the information herein by anyone other than the intended recipient, or an employee or agent responsible for delivering the message to the intended recipient, is prohibited. If you have received this e-mail in error, please destroy the original message and all copies.