City of Phoenix

Agenda
City Council Formal Meeting

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

Wednesday, January 4, 2023 **2:30 PM** **phoenix.gov**

*****REVISED Jan. 3, 2023*****
Item to be Withdrawn: 48

OPTIONS TO ACCESS THIS MEETING

Virtual Request to speak at a meeting:

- Register online *by visiting the City Council Meetings page on phoenix.gov* ***at least 2 hours 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=ee587700a0c62b73eb5feb7ef5ea9ec23

- Register via telephone at 602-262-6001 **at least 2 hours 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.

In-Person Requests to speak at a meeting:

- Register in person at a kiosk located at the City Council Chambers, 200 W. Jefferson St., Phoenix, Arizona, 85003. Arrive **1 hour prior to the start of this meeting**. Depending on seating availability, residents will attend and speak from the Upper Chambers, Lower Chambers or City Hall location.

- Individuals should arrive early, 1 hour prior to the start of the meeting to submit an in-person request to speak before the item is called. After the item is called, requests to speak for that item will not be accepted.

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 2556 530 7663# (for English) or 2558 146 4188# (for Spanish). Press # again when prompted for attendee ID.

- Watch the meeting in-person from the Upper Chambers, Lower Chambers or City Hall depending on seating availability.

Para nuestros residentes de habla hispana:

- Para registrarse para hablar en español, llame al 602-262-6001 **al menos 2 horas 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 2558 146 4188#. 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 2558 146 4188#). Se proporciona interpretación simultánea para nuestros residentes durante todas las reuniones.

- Para asistir a la reunión en persona, vaya a las Cámaras del Concejo Municipal de Phoenix ubicadas en 200 W. Jefferson Street, Phoenix, AZ 85003. Llegue 1 hora antes del comienzo de la reunión. Si desea hablar, regístrese electrónicamente en uno de los quioscos, antes de que comience el tema. Una vez que se comience a discutir el tema, no se aceptarán nuevas solicitudes para hablar. Dependiendo de cuantos asientos haya disponibles, usted podría ser sentado en la parte superior de las cámaras, en el piso de abajo de las cámaras, o en el edificio municipal.

CALL TO ORDER AND ROLL CALL

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REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

000 CITIZEN COMMENTS

ADJOURN

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 1

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:** January 4, 2023

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:

Ahwatukee Foothills Village Planning Committee

Councilman Sal DiCiccio recommends the following for appointment:

Sean Lieb
Mr. Lieb is the Senior Vice President of Levrose Commercial Real Estate and a resident of District 6. He replaces Martha Neese for a term to expire November 19, 2023.

Alhambra Village Planning Committee

Councilwoman Debra Stark recommends the following for appointment:

Melissa Camp
Ms. Camp is a Realtor at HomeSmart and a resident of District 3. She fills a vacancy for a term to expire November 19, 2024.

Audit Committee

I recommend the following for reappointment:

Ann O'Brien
Councilwoman O'Brien is serving her second term to expire July 1, 2024.

Debra Stark
Councilwoman Stark is serving her second term to expire July 1, 2023.

Jim Waring
Councilman Waring is serving his fifth term to expire December 14, 2024.

Camelback East Village Planning Committee

Councilman Sal DiCiccio recommends the following for appointment:

Kathryn Langmade
Ms. Langmade is the owner of Maloney Plumbing, LLC and a resident of District 6. She fills a vacancy for a partial term to expire November 19, 2023.

Plan Phoenix 2025 Leadership Committee

The City of Phoenix is preparing to embark on the 2025 update of the Phoenix General Plan. The goal is to execute a strategic and focused update of the existing General Plan that will align the General Plan's vision, goals and implementation strategies with other City Council adopted initiatives creating the foundation for a unified policy framework for the entire city, while updating the plan to address the opportunities and challenges we face in the next decade.

The 2015 PlanPHX Leadership Committee did phenomenal work in collaborating and guiding staff in the development of a General Plan that was ultimately approved by more than 76 percent of voters in the 2015 election. To ensure we have the same level of community insight as we look to build on the successes of the existing General Plan, this item proposes to establish the PlanPHX 2025 Leadership Committee. The Committee will be charged with collaborating with the Mayor, City Council, Planning Commission, Village Planning Committees, and other community stakeholders throughout the process. Specifically, the Committee will focus on three endeavors:

- **Analysis:** Provide the project team feedback on the existing General Plan and identify areas in need of update.
- **Outreach:** Identify and connect community stakeholders to provide their insight on the update.
- **Support:** Assist the Mayor, City Council and staff in the circulation and presentation of the updated General Plan in preparation for the election in November 2024.

I recommend the following to be appointed to the Plan Phoenix 2025 Leadership Committee with terms set to expire January 30, 2025:

Mo Stein
Mr. Stein is a Principal with HKS Architects, and a former chair of the Phoenix Planning Commission, 2002 General Plan Update, and 2015 General Plan Update. Mr. Stein will serve as Chair. He represents Architecture and served on the 2015 PlanPHX Leadership Committee.

Hannah Bleam
Ms. Bleam is a planner with Withey Morris and a former City of Phoenix employee. She represents Planning.

Pearl Chang Esau
Ms. Esau is founder and CEO of Shan Strategies. She represents Business and Education.

Carolyn Chatman
Ms. Chatman serves on the City of Phoenix Transportation 2050 (T2050) Citizens Transportation Commission and was a former director for City of Phoenix Public Works Department. She represents Transportation.

Jen Corey
Ms. Corey is Senior Real Estate Development Manager with Carvana. She represents Real Estate and Planning.

Gabriel Jaramillo
Mr. Jaramillo serves on the Phoenix Planning Commission and the North Mountain Village Planning Committee. He represents the Planning Commission and Affordable Housing.

Cheryl Lombard
Ms. Lombard is president and CEO of Valley Partnership. She represents Real Estate and Water Conservation.

Andrea Odegard-Begay
Ms. Odegard-Begay serves on the City of Phoenix Environmental Quality and Sustainability Commission. She represents Water Conservation.

Jeff O'Toole
Mr. O'Toole serves on the Maryvale Village Planning Committee. He represents Neighborhoods.

Barry Paceley
Mr. Paceley is President of Paceley Constructors, Inc., and serves on the Camelback East Village Planning Committee. He served on the 2015 PlanPHX Leadership Committee.

Phil Pangrazio
Mr. Pangrazio serves on the City of Phoenix Transportation 2050 (T2050) Citizens Transportation Commission and was former President and CEO of Ability 360. He represents Transportation, Mobility, and ADA.

Julie Read
Ms. Read serves on the North Gateway Village Planning Committee. She represents Neighborhoods.

Bobby Ruiz
Mr. Ruiz is a retired firefighter and longtime Phoenix resident. He represents Neighborhoods.

Krista Shepherd
Ms. Shepherd is an Architect with Multistudio and serves as Co-Chair on the Phoenix Community Alliance Multi-Modal Connectivity Committee. She represents Architecture, Transportation, and Mobility.

Christian Solorio
Mr. Solorio is an Architect with Architectural Resource Team and serves on the Alhambra Village Planning Committee. He represents Architecture and Affordable Housing.

Jay Swart
Mr. Swart serves on the Camelback East Village Planning Committee. He represents Neighborhoods.

Water/Wastewater Rate Advisory Committee

I recommend the following for appointment:

Margaret Garcia
Ms. Garcia is an Assistant Professor at Arizona State University. She replaces Guy Carpenter for a term to expire January 4, 2026.

Joe Murphy
Mr. Murphy is the Political Director at Arizona AFL-CIO. He replaces Wes Harris for a term to expire January 4, 2026.

I recommend the following for reappointment:

Henrietta Andersson
Ms. Andersson is serving her second term to expire March 18, 2025.

Damon Williams
Mr. Williams is serving his second term to expire April 18, 2024.

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 2

Swearing In of a Municipal Court Judge

Request to permit the swearing in of a Municipal Court Judge.

Summary
Administer the oath of office for the Honorable Cynthia Certa to a four-year term as Judge of the Phoenix Municipal Court to end on Jan. 19, 2027.

Concurrence/Previous Council Action
On Dec. 2, 2022, the Judicial Selection Advisory Board recommended approval to the Public Safety and Justice Subcommittee.

On Dec. 14, 2022, the Public Safety and Justice Subcommittee recommended approval to the City Council by a vote of 4-0.

On Dec. 14, 2022, the City Council approved the reappointment of Judge Cynthia Certa by a vote of 8-0.

Responsible Department
This item is submitted by Deputy City Manager Karen Peters and the City Council Office.

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 3

Liquor License - Barrio Brewing Company Restaurant

Request for a liquor license. Arizona State License Application 215789.

Summary

Applicant
Navayogasingam Thuraisingam, Agent

License Type
Series 12 - Restaurant

Location
702 W. Deer Valley Road
Zoning Classification: A-1 DVAO
Council District: 1

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

The 60-day limit for processing this application is Jan. 6, 2023.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have held multiple liquor licenses and never had any violations. I plan to serve liquor always following all rules and regulations set forth by the city and the state. Further, I will ensure these same rules and regulations are followed by management and employees, who will also receive the necessary and required training to serve liquor."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This will be part of the Deer Valley Airport and provide a great service to both the airport as an organization, as well as all the passengers that travel to and from Phoenix via the Deer Valley Airport. This will be an excellent addition to the community, providing a safe and enjoyable environment to enjoy food and beverage for all patrons."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Barrio Brewing Company Restaurant
Liquor License Map - Barrio Brewing Company Restaurant

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

Liquor License Data: BARRIO BREWING COMPANY RESTAURANT

Liquor License

Description	Series	1 Mile	1/2 Mile
Producer	1	1	0
Microbrewery	3	1	1
Beer and Wine Store	10	2	2
Restaurant	12	1	1
Craft Distiller	18	1	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	55.88	16.71	15.07
Violent Crimes	10.65	1.40	0.42

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

Property Violation Data

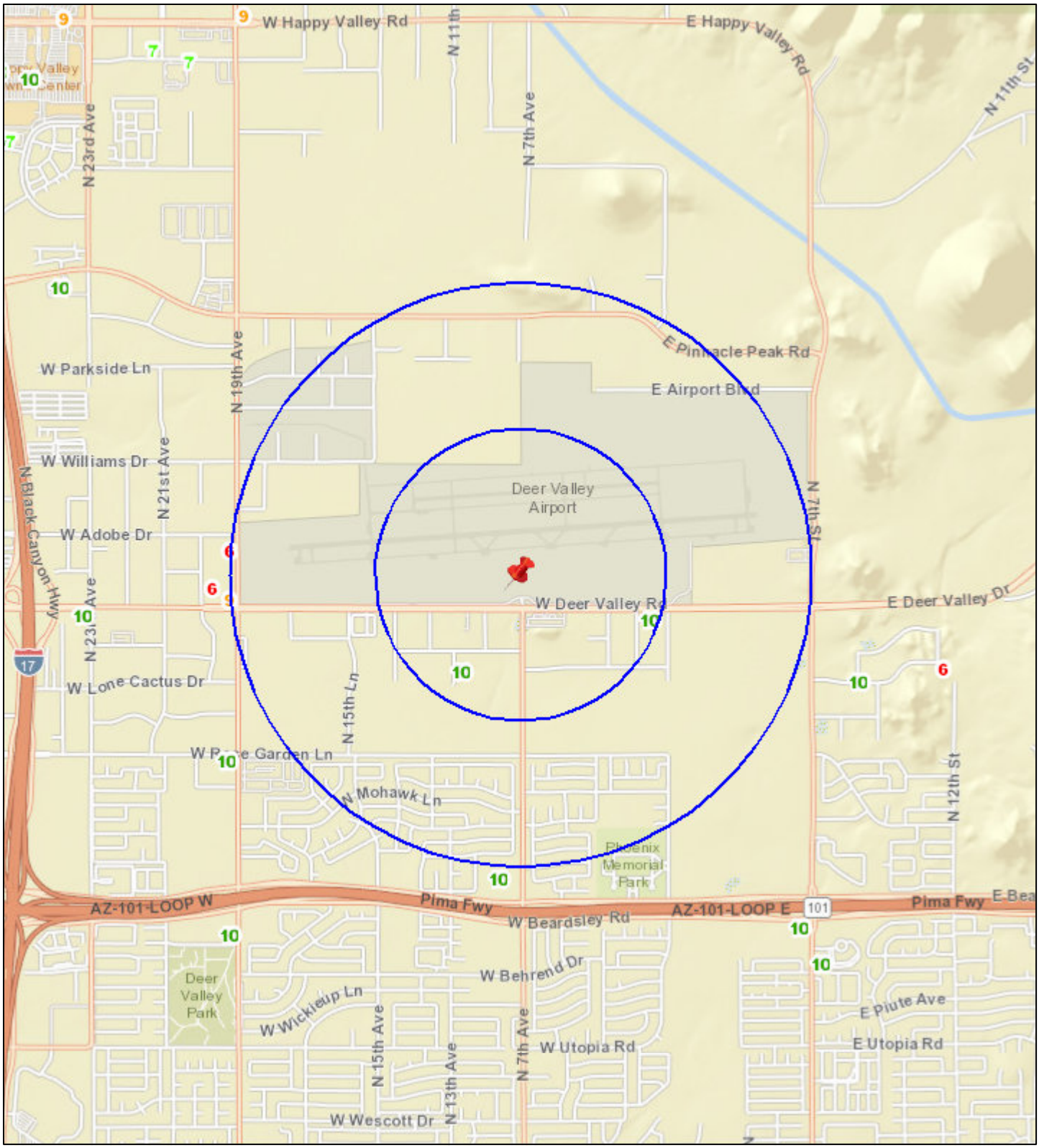
Description	Average	1/2 Mile Average
Parcels w/Violations	51	2
Total Violations	89	4

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6147001	287	86 %	29 %	31 %
Average		61 %	13 %	19 %

Liquor License Map: BARRIO BREWING COMPANY RESTAURANT

702 W DEER VALLEY RD



N

Date: 11/10/2022

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 4

Liquor License - Fat Tuesday

Request for a liquor license. Arizona State License Application 06070585.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 6 - Bar

Location
21001 N. Tatum Blvd., Ste. 44-1395
Zoning Classification: C-2 DRSP
Council District: 2

This request is for an ownership and location transfer of a liquor license for a bar. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in February 2023.

The 60-day limit for processing this application is Jan. 20, 2023.

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:
"Applicant is committed to upholding the highest standards for business and maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Fat Tuesday has several locations throughout the United States, and is opening its 3rd location in Arizona. Applicant would like to offer guests 21 and over the opportunity to enjoy alcoholic beverages."

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 - Fat Tuesday
Liquor License Map - Fat Tuesday

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

Liquor License Data: FAT TUESDAY

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	11	8
Beer and Wine Bar	7	4	3
Liquor Store	9	3	3
Beer and Wine Store	10	5	4
Hotel	11	1	0
Restaurant	12	34	29

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	55.88	43.63	113.48
Violent Crimes	10.65	2.68	6.90

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

Property Violation Data

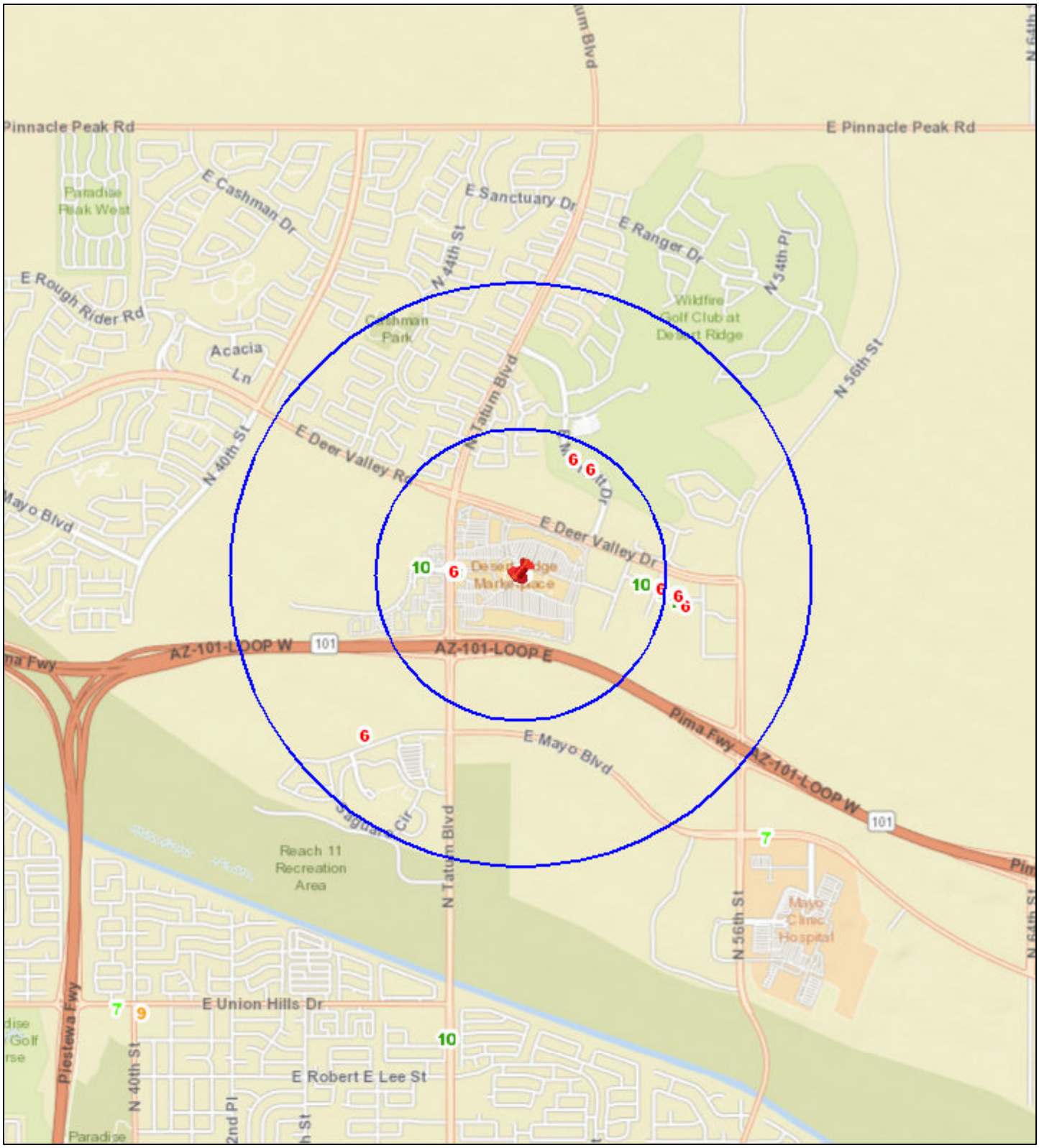
Description	Average	1/2 Mile Average
Parcels w/Violations	51	7
Total Violations	90	7

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6150003	344	8 %	38 %	5 %
6151001	1444	84 %	18 %	8 %
6152001	1993	8 %	29 %	12 %
6152002	2127	70 %	10 %	4 %
6152003	867	89 %	26 %	2 %
Average		61 %	13 %	19 %

Liquor License Map: FAT TUESDAY

21001 N TATUM BLVD



N

Date: 11/29/2022

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 5

Liquor License - Jacksons #805

Request for a liquor license. Arizona State License Application 09070353.

Summary

Applicant
Amy Nations, Agent

License Type
Series 9 - Liquor Store

Location
16610 N. Scottsdale Road
Zoning Classification: C-2
Council District: 2

This request is for an ownership and location transfer of a liquor license for a convenience store that sells gas. This location is currently licensed for liquor sales with a Series 10 - Beer and Wine Store liquor license.

The 60-day limit for processing this application is Jan. 6, 2023.

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:
"Jacksons has been in business since 1975 and currently holds 230+ branded stores in 6 western states. All of the Jacksons locations have liquor licenses. Jacksons is knowledgeable in operating liquor stores and will train their employees in Arizona liquor laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Jacksons stores are a one stop shop with everything needed. This is a very busy location where neighbors can come get their cars washed as well as buying common things they may need. Jacksons is also very involved in the local communities they are located in. From Boys and Girls clubs to schools and support of local sports."

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 - Jacksons #805
Liquor License Map - Jacksons #805

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

Liquor License Data: JACKSONS #805

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	4	0
Beer and Wine Bar	7	7	4
Liquor Store	9	1	1
Beer and Wine Store	10	8	3
Hotel	11	2	1
Restaurant	12	56	20

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	55.88	17.22	25.05
Violent Crimes	10.65	1.40	2.54

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

Property Violation Data

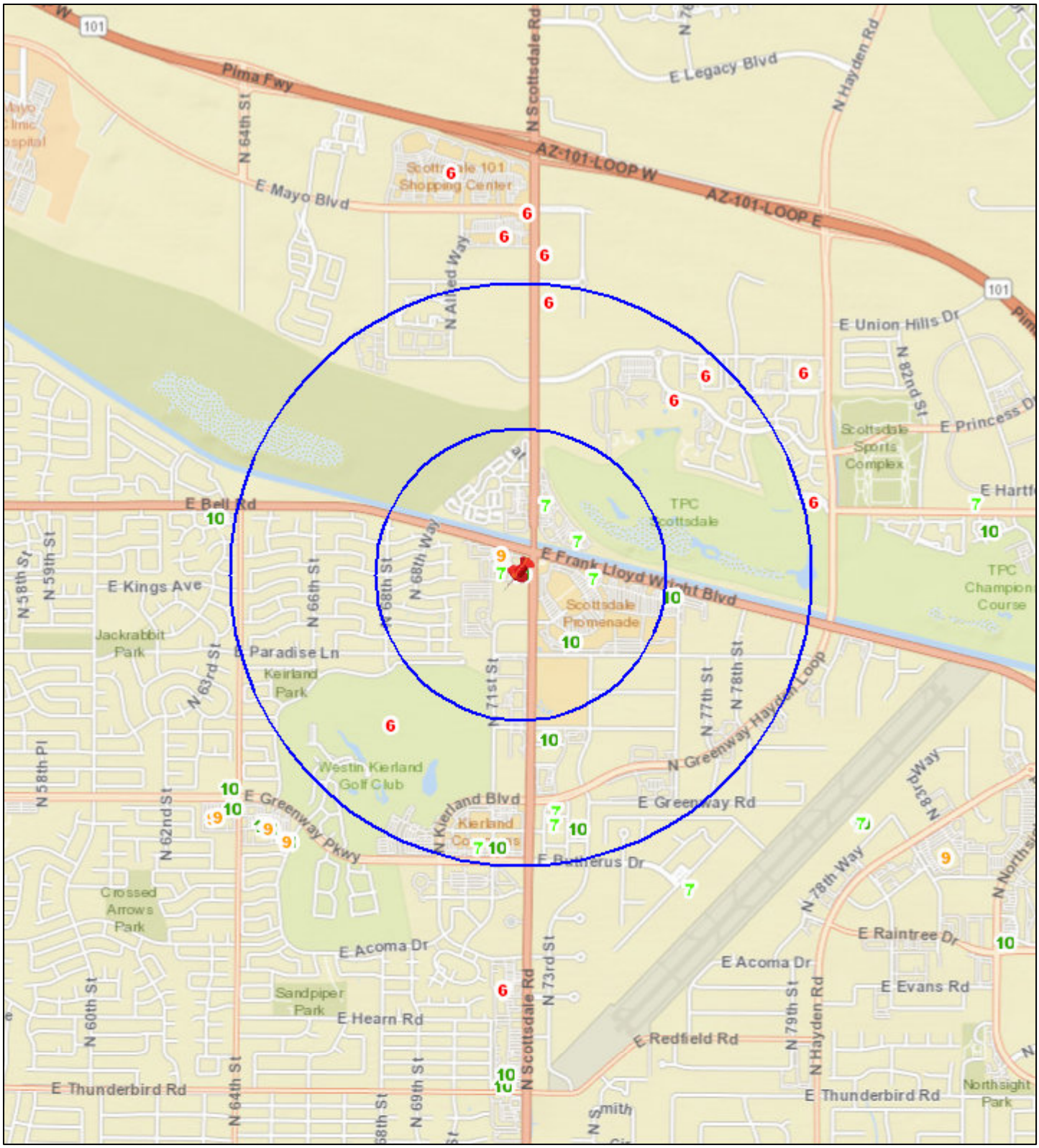
Description	Average	1/2 Mile Average
Parcels w/Violations	51	13
Total Violations	89	19

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1032191	834	44 %	30 %	13 %
1032193	1262	88 %	14 %	8 %
2168161	1812	95 %	0 %	4 %
2168452	694	23 %	38 %	8 %
6152001	1993	8 %	29 %	12 %
Average		61 %	13 %	19 %

Liquor License Map: JACKSONS #805

16610 N SCOTTSDALE RD



N

Date: 11/10/2022

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 6

Liquor License - Special Event - Free Serbian Orthodox Church St. Nicholas

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

Summary

Applicant
Milan Djordic

Location
11640 N. 16th Place
Council District: 3

Function
Cultural Celebration

Date(s) - Time(s) / Expected Attendance
Jan. 13, 2023 - 7 p.m. to 1 a.m. / 300 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 7

Liquor License - Special Event - Phoenix Chinese Week

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

Summary

Applicant
Eva Li

Location
300 E. Indian School Road
Council District: 4

Function
Chinese Cultural Festival

Date(s) - Time(s) / Expected Attendance
Jan. 21, 2023 - 9 a.m. to 5 p.m. / 5,000 attendees
Jan. 22, 2023 - 10 a.m. to 5 p.m. / 5,000 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 8

Liquor License - Thomas Liquor

Request for a liquor license. Arizona State License Application 217085.

Summary

Applicant
Lauren Merrett, Agent

License Type
Series 10 - Beer and Wine Store

Location
2807 N. 35th Ave.
Zoning Classification: C-2
Council District: 4

This request is for a new liquor license for a convenience store that does not sell gas. This location was previously licensed for liquor sales and may currently operate with an interim permit. This location requires a Use Permit to allow package liquor sales and drive-through window.

The 60-day limit for processing this application is Jan. 17, 2023.

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.

Quick Stop (Series 10)
7938 N. 59th Ave., Glendale
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 meet all of the requirements for capability and qualifications listed in Title 4."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This location has operated with a liquor license in the past and therefore the issuance of a license now will allow for continuity of operations."

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 - Thomas Liquor
Liquor License Map - Thomas Liquor

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

Liquor License Data: THOMAS LIQUOR

Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	6	4
Bar	6	5	1
Beer and Wine Bar	7	3	3
Liquor Store	9	2	0
Beer and Wine Store	10	9	4
Restaurant	12	8	2

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	55.88	130.12	132.16
Violent Crimes	10.65	28.55	28.55

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

Property Violation Data

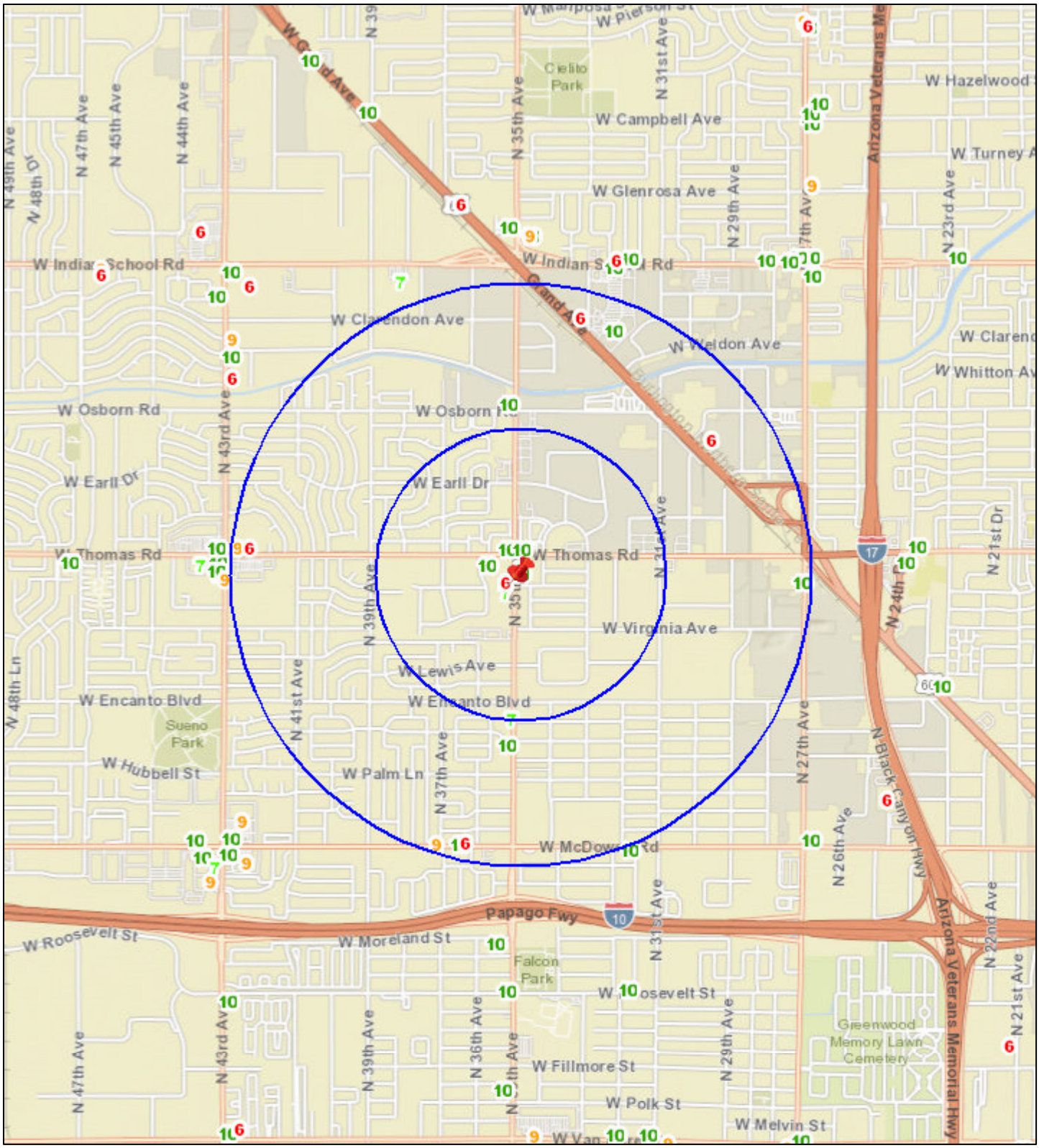
Description	Average	1/2 Mile Average
Parcels w/Violations	51	81
Total Violations	90	137

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1101002	1880	31 %	18 %	37 %
1101004	1252	80 %	7 %	41 %
1121001	989	53 %	5 %	35 %
1121002	1598	60 %	3 %	32 %
1122011	2386	70 %	3 %	37 %
1169001	2535	66 %	12 %	50 %
Average		61 %	13 %	19 %

Liquor License Map: THOMAS LIQUOR

2807 N 35TH AVE



N

Date: 11/22/2022

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 9

Liquor License - Special Event - CASA Academy

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

Summary

Applicant
Tacey Cundy

Location
8047 N. 35th Ave.
Council District: 5

Function
Annual School Dinner

Date(s) - Time(s) / Expected Attendance
Feb. 24, 2023 - 7 p.m. to 10 p.m. / 250 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 10

Liquor License - Special Event - Madison District Educational Foundation, Inc.

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

Summary

Applicant
Margaret Dodd

Location
5601 N. 16th St.
Council District: 6

Function
Symphony Performance

Date(s) - Time(s) / Expected Attendance
Jan. 27, 2023 - 6:30 p.m. to 10 p.m. / 904 attendees
Jan. 28, 2023 - 10 a.m. to 10 p.m. / 904 attendees
Jan. 29, 2023 - 1 p.m. to 4 p.m. / 904 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 11

Liquor License - LCD's AMA Social Club

Request for a liquor license. Arizona State License Application 215483.

Summary

Applicant
Okema Charles, Agent

License Type
Series 14 - Club

Location
4825 E. Warner Road, Ste. 13
Zoning Classification: C-2
Council District: 6

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

The 60-day limit for processing this application is Jan. 9, 2023.

Pursuant to A.R.S. 4-203, consideration may be given only to the applicant's personal qualifications and not to the location.

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

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

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

applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
“I have taken the liquor classes and will be accountable with the handling of liquor at the location.”

Staff Recommendation
Staff recommends approval of this application.

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

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 12

Liquor License - True Food Kitchen

Request for a liquor license. Arizona State License Application 12077668.

Summary

Applicant
Scott Bowman, Agent

License Type
Series 12 - Restaurant

Location
2502 E. Camelback Road, Ste. 135
Zoning Classification: PSC CEPCSP
Council District: 6

This request is for an acquisition of control of an existing liquor license for a restaurant. This location is currently licensed for liquor sales.

The 60-day limit for processing this application is Jan. 20, 2023.

Pursuant to A.R.S. 4-203, consideration should be given only to the applicant's personal qualifications.

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.

True Food (Series 12)
15191 N. Scottsdale Road, Scottsdale
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: "As chief Financial officer of the business, I am responsible for the finances of the company and its 40+ locations in multiple states."

Staff Recommendation
Staff recommends approval of this application.

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

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 13

Liquor License - Foothills Golf Club

Request for a liquor license. Arizona State License Application 06070434.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 6 - Bar

Location
2201 E. Clubhouse Drive
Zoning Classification: RE-35 SP PCD
Council District: 6

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

The 60-day limit for processing this application is Jan. 21, 2023.

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:
"Applicant is committed to upholding the highest standards for business and maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Foothills Golf Club has been a popular golf club in Phoenix for many years. Applicant would like to continue to offer guests 21 and over the opportunity to enjoy alcoholic beverages as an additional amenity to their golf experience."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Foothills Golf Club
Liquor License Map - Foothills Golf Club

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

Liquor License Data: FOOTHILLS GOLF CLUB

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	1	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	55.88	7.24	11.25
Violent Crimes	10.65	0.87	0.95

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

Property Violation Data

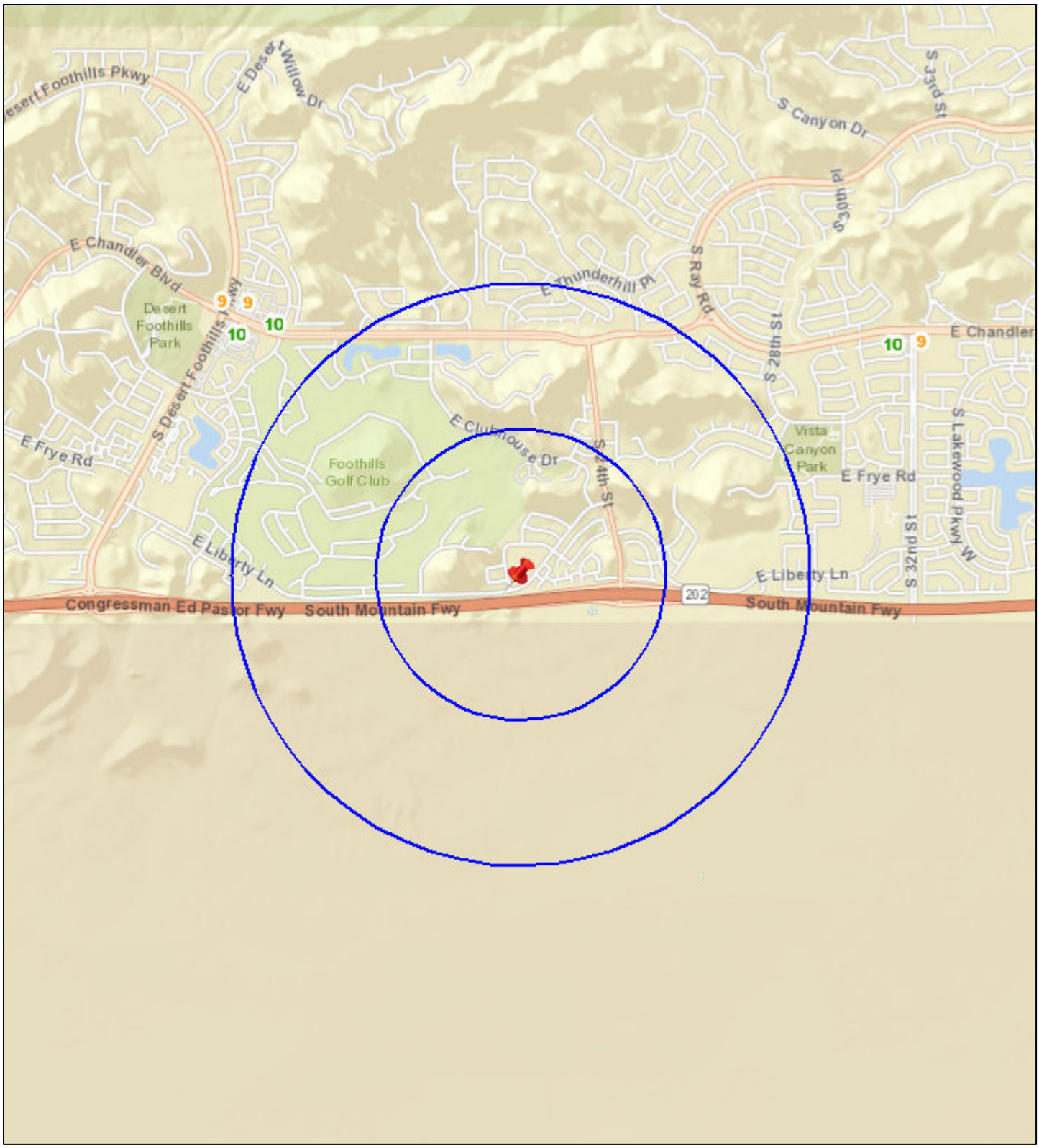
Description	Average	1/2 Mile Average
Parcels w/Violations	51	0
Total Violations	89	

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1167142	2014	81 %	1 %	8 %
1167253	1407	89 %	0 %	11 %
1167254	1573	58 %	0 %	5 %
Average		61 %	13 %	19 %

Liquor License Map: FOOTHILLS GOLF CLUB

2201 E CLUBHOUSE DR



N

Date: 11/28/2022

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 14

Liquor License - Special Event - McDowell Mountain Music Festival, Inc.

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

Summary

Applicant
R John Largay

Location
67 W. Culver St.
Council District: 7

Function
Music Festival

Date(s) - Time(s) / Expected Attendance
March 3, 2023 - 10 a.m. to 11 p.m. / 12,000 attendees
March 4, 2023 - 10 a.m. to 11 p.m. / 12,000 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 15

Liquor License - Holiday Inn Express and Suites Phoenix Downtown-State Capitol

Request for a liquor license. Arizona State License Application 214961.

Summary

Applicant
Dharmesh Ahir, Agent

License Type
Series 10 - Beer and Wine Store

Location
950 W. Van Buren St.
Zoning Classification: PUD CMOD
Council District: 7

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

The 60-day limit for processing this application is Jan. 8, 2023.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"The Holiday Inn Express and Suites Phoenix Downtown - State Capitol will be operated in a responsible manner regarding alcohol sales from its gift/convenience portion of the premise. The applicant has received basic and management and liquor training and intends to follow all Title 4 liquor laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This downtown hotel is a new, bright, and clean hotel with a national brand. The applicant is applying for a liquor license in its gift/convenience market to provide a convenience to its guests. The applicant is committed to be a good neighbor and responsible liquor licensee."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Holiday Inn Express and Suites Phoenix Downtown-State Capitol
Liquor License Map - Holiday Inn Express and Suites Phoenix Downtown-State Capitol

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

Liquor License Data: HOLIDAY INN EXPRESS AND SUITES PHOENIX DOWNTOWN-STATE CAPITOL

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	3	2
Government	5	5	0
Bar	6	41	6
Beer and Wine Bar	7	12	1
Liquor Store	9	3	0
Beer and Wine Store	10	10	2
Hotel	11	4	0
Restaurant	12	79	11
Club	14	3	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	55.88	180.22	217.83
Violent Crimes	10.65	60.37	105.09

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

Property Violation Data

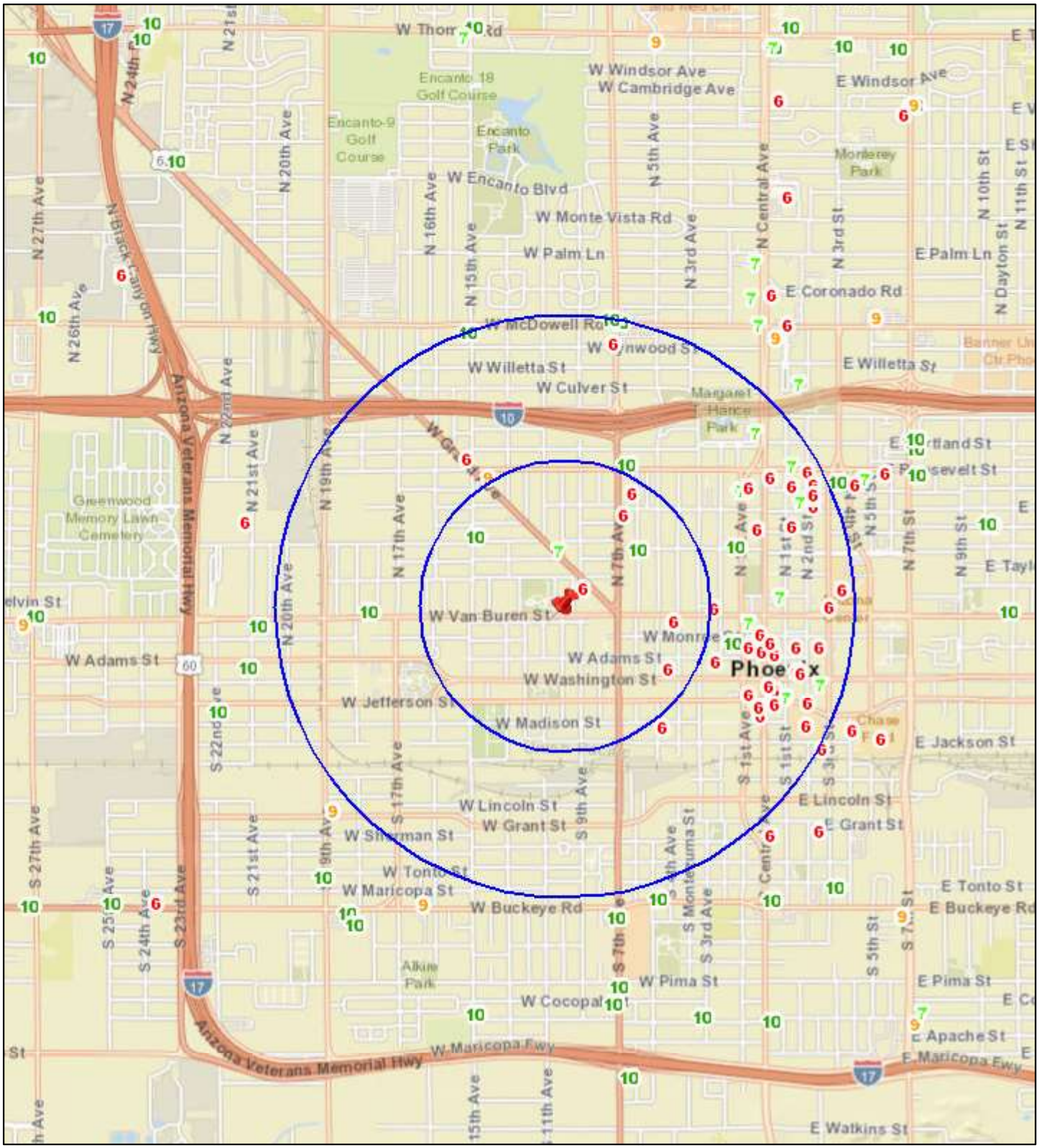
Description	Average	1/2 Mile Average
Parcels w/Violations	51	231
Total Violations	89	517

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1129002	815	37 %	22 %	24 %
1129003	1372	4 %	18 %	40 %
1129004	1325	47 %	24 %	52 %
1131001	1015	7 %	8 %	28 %
1131002	1242	3 %	7 %	33 %
1141001	2299	16 %	37 %	44 %
1143011	1389	22 %	15 %	57 %
Average		61 %	13 %	19 %

Liquor License Map: HOLIDAY INN EXPRESS AND SUITES PHOENIX DOWNTOWN-STATE CAPITOL

950 W VAN BUREN ST



N

Date: 11/15/2022

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 16

Liquor License - Special Event - One Arizona

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

Summary

Applicant
Cindy Louie

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

Function
Street Food Festival

Date(s) - Time(s) / Expected Attendance
Jan. 14, 2023 - 6 p.m. to 10 p.m. / 1,000 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 17

Liquor License - Radisson Hotel Phoenix Airport

Request for a liquor license. Arizona State License Application 11073129.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 11 - Hotel/Motel

Location
427 N. 44th St.
Zoning Classification: C-2 M-R
Council District: 8

This request is for an acquisition of control of an existing liquor license for a hotel. This location is currently licensed for liquor sales.

The 60-day limit for processing this application is Jan. 17, 2023.

Pursuant to A.R.S. 4-203, consideration should be given only to the applicant's personal qualifications.

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: “Applicant is committed to upholding the highest standards for business and maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service.”

Staff Recommendation
Staff recommends approval of this application.

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

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 18

Liquor License - Original Hot Dog Factory & Spice Wing

Request for a liquor license. Arizona State License Application 217758.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 12 - Restaurant

Location
4645 E. Broadway Road, Ste. 106
Zoning Classification: C-2
Council District: 8

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in February 2023.

The 60-day limit for processing this application is Jan. 15, 2023.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have worked in the liquor industry for approximately 10 years and I am a business owner in addition to the proposed restaurant. I have attended both Basic and Management Liquor Law Training in Arizona and will ensure my staff is trained once they are hired. I am familiar with the valid forms of identification to accept in Arizona to sell alcoholic beverages and am knowledgeable to identify obviously intoxicated individuals and underage."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I researched areas in Phoenix to determine which community would be best served by my restaurant. The public convenience will be served well in this area as the food I will provide is the primary purpose. Alcoholic beverages are simply to complement the food. I am looking forward to owning a business in Phoenix and working with the local community and neighborhood organizations."

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 - Original Hot Dog Factory & Spice Wing
Liquor License Map - Original Hot Dog Factory & Spice Wing

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

Liquor License Data: ORIGINAL HOT DOG FACTORY & SPICE WING

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	57.02	45.88	74.41
Violent Crimes	10.91	9.26	21.01

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

Property Violation Data

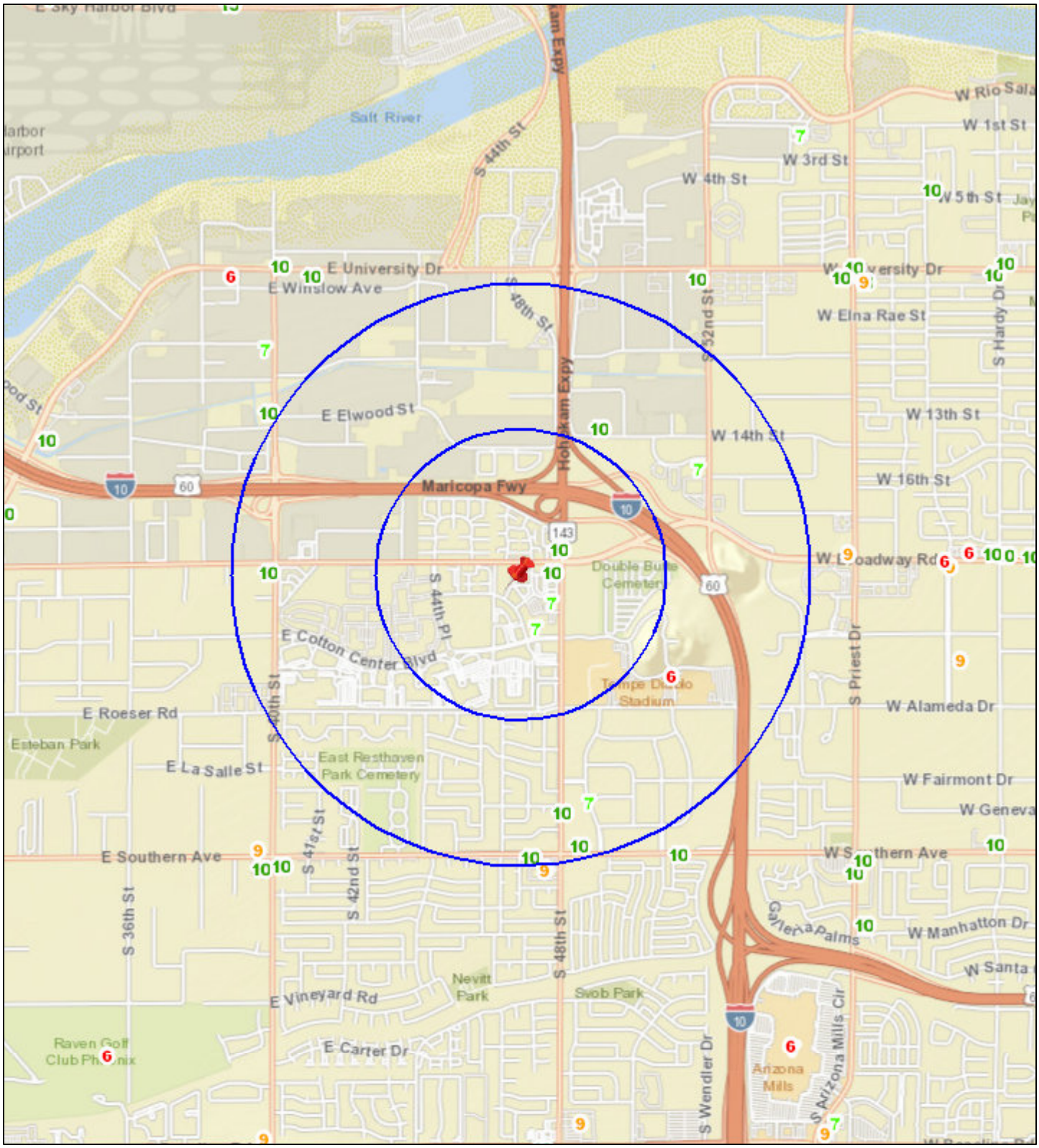
Description	Average	1/2 Mile Average
Parcels w/Violations	51	12
Total Violations	89	19

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1152001	1118	13 %	16 %	58 %
1152003	546	8 %	44 %	45 %
1162041	1426	79 %	6 %	24 %
1162042	1819	57 %	0 %	32 %
1162043	535	59 %	24 %	8 %
3197041	1777	42 %	9 %	20 %
Average		61 %	13 %	19 %

Liquor License Map: ORIGINAL HOT DOG FACTORY & SPICE WING

4645 E BROADWAY RD



N

Date: 12/13/2022

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

PAYMENT ORDINANCE (Ordinance S-49286) (Items 19-27)

Ordinance S-49286 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.

19 **General Atomics Intl. Services Corp., d.b.a. Cryotech Deicing Technology**

For $35,000 in payment authority for a one-time purchase of Cryotech proprietary E36 liquid chemical deicer (chemical deicer) for the Aviation Department. The Aviation Department recently purchased a trailer-mounted deicer to support the Phoenix Sky Harbor International Airport Extreme Winter Weather Operations Program. The chemical deicer agent is required in conjunction with the deicing equipment. Cryotech will provide the chemical deicer and complimentary on-site initial and refresher training for application.

20 **Alliance for Innovation, Inc.**

For $9,000 in payment authority to purchase 2023 annual membership dues of the Alliance for Innovation (AFI) for the Budget and Research Department. The City of Phoenix has been a member of the Alliance for Innovation (AFI) since 2006. AFI is an international network of local governments and partners committed to driving innovation and proactive strategic planning to enhance organizations' operations and build stronger communities. AFI advances these values by sharing emerging practices, cutting-edge research, and professional development opportunities through its partnership with Strategic Government Resources. As a longstanding AFI member, the City of Phoenix has previously participated

in and hosted the annual Transforming Local Government Conference. AFI member benefits and resources are available to all City of Phoenix employees. Funding is available in the Budget and Research Department's budget.

21 **Discover Phoenix and Arizona, LLC**

For $12,600 in additional payment authority for Contract 155621 to provide additional trade development services in Mexico for the Community and Economic Development Department and authority to extend the contract through Feb. 28, 2023, to allow time to amend the contract and process final invoices. The increased spending authority is necessary to cover costs associated with additional activity generated by recent trade missions and delegations to Hermosillo and to Mexico City, which have included meetings and presentations with elected officials, dignitaries and businesses representatives from companies considering business opportunities in Phoenix. These missions were in addition to the trade development services anticipated in the contract's original scope of work. The goals of the missions included elevating Phoenix's profile as a trade and investment partner and developing and strengthening business relationships between Phoenix and Mexico.

22 **Home Builders Marketing, Inc.**

For $25,000 in payment authority for an online housing market data and analysis subscription of the Phoenix metropolitan area for the Community and Economic Development Department for up to five years. With this data and analysis, the City will be able to generate area-specific, targeted reports to help promote economic development activities to tenants, investors, developers, builders, contractors, and lenders. Staff will also use this data and analysis to expand the pool of potential bidders for Arizona State Trust Lands in or near Phoenix that will be auctioned in the future.

23 **Partnership for Economic Innovation (PEI)**

For $50,000 in payment authority to pay the annual membership fee for the City Manager's Office and Information Technology Services Department for The Connective, a Smart Cities initiative of the Partnership for Economic Innovation. The City of Phoenix is a leading participant in The Connective with a mission to transform Arizona into a top global

market for innovation and establish the first Smart Region. The Connective will also support the City in scientific evaluations of initiatives, pilot projects, and existing processes to reduce costs, improve performance, and advance innovation across City departments. This item was approved by the Economic Development and Equity Subcommittee on Oct. 26, 2022, and by City Council during the Formal meeting on Nov. 16, 2022.

24 **bluemedia, Inc.**

For $13,600 in payment authority to purchase custom fabricated Super Bowl LVII letters for the Parks and Recreation Department. As part of Super Bowl LVII, bluemedia, Inc. is custom fabricating several sets of Super Bowl LVII letters to be displayed at several surrounding cities. The department will utilize bluemedia, Inc. for the same styled letters to be displayed at Margaret T. Hance Park (Hance Park). The display letters will provide a unique photo opportunity for Phoenix residents and visitors of Hance Park prior to and during Super Bowl LVII events scheduled around February 2023. The Arizona Super Bowl LVII Host Committee is utilizing bluemedia, Inc. solely to fabricate and install the letters providing an aesthetically uniform display across the cities. Funding is available in the Parks and Recreation Department's budget.

25 **HCP GQL Holdings, LLC dba Great Western Leasing and Sales**

For $10,000 in additional payment authority for Contract 148856 for fuel tanker inspections for the Public Works Department. There are four tanker trucks that deliver fuel products to various City fuel sites and generators on a daily basis. This contract is to maintain the fleet with repairs on the fuel tanks, pumps, plumbing and grounding systems and to maintain compliance with Maricopa County Air Pollution Control Regulations with annual vapor testing.

26 **Arizona Department of Transportation**

For $100,000 in payment authority to the Arizona Department of Transportation (ADOT) for administrative fees associated with project management design reviews conducted by ADOT staff on City of Phoenix-managed federal highway funded projects. These projects are required to be reviewed and approved through ADOT, and this ordinance

will allow for the payment of project management design review fees for these projects through June 30, 2028. Payments will be made using Street Transportation Department's Capital Improvement Program funds.

27 **Settlement of Claim(s) 525 Bethany LLC v. City of Phoenix**

To make payment of up to $729,000 in settlement of claim(s) in *525 Bethany LLC v. City of Phoenix,* 21-1075-001, GL, PD, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement for a claim involving a broken watermain pipe on May 26, 2022.

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 28

Selection of Vice Mayor

Request to permit the City Council to select one of its members to serve as Vice Mayor, until such time of another Vice Mayor selection, pursuant to Phoenix City Charter IV, section 3. Rule 7(c) of the Rules of Council Proceedings states that "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."

Responsible Department

This item is submitted by the City Manager's Office.

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 29

Proposed I-17 and Deer Hollow Lane Annexation (Ordinance S-49314)

Request City Council authorization to extend and increase the corporate limits of the City of Phoenix, Ariz., by annexing an area not within the present limits of the City of Phoenix, designated as the I-17 and Deer Hollow Lane Annexation. Further request to authorize current Maricopa County zoning to continue in effect until municipal zoning is applied to the annexed territory.

Summary

The annexation was requested by Adam Baugh with Withey Morris, PLC, for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation. The City Clerk Department has received signed petitions representing 100 percent of the assessed value and 100 percent of the owners, excluding utilities, within the proposed annexation area.

Public Outreach

A public hearing was conducted on Sept. 21, 2022, to allow the City Council to gather community comment regarding the annexation proposal. Notification of the public hearing was published in the Arizona Business Gazette newspaper, and posted in at least three conspicuous places in the territory proposed to be annexed. Also, notice by first-class mail was sent to each property owner in the are proposed to be annexed.

Location

The proposed annexation area includes Maricopa County Assessor parcel 202-22-003L, located at I-17 and Deer Hollow Lane (**Attachment A**). The annexation area is approximately 5.95 acres (0.0093 sq. mi.) and the population estimate is three individuals.

Council District: 1

Responsible Department

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

ANNEXATION MAP

INTERSTATE 17 AND DEER HOLLOW LANE

City of Phoenix

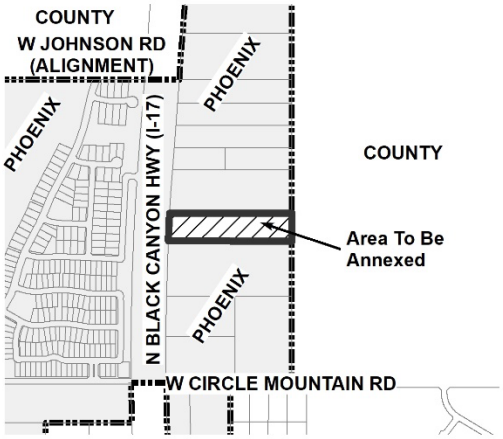
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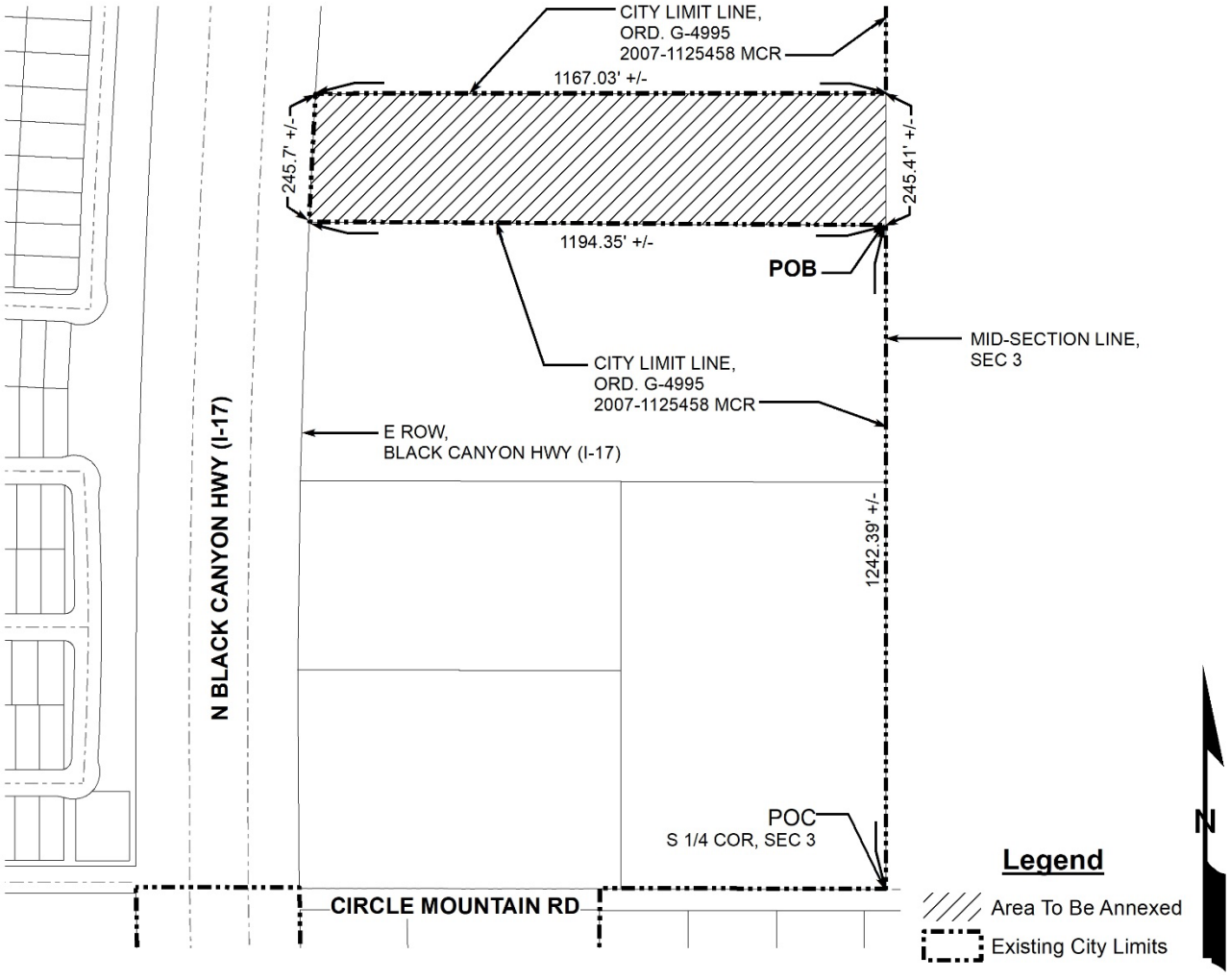
SECTION 3 T. 6 N., R. 2 E., G. & S. R. B. & M.

ANNEXATION NUMBER: XXX

AREA IN SQUARE MILES
0.0093

VICINITY MAP





City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 30

Proposed 95th Avenue and Broadway Road Annexation (Ordinance S-49315)

Request City Council authorization to extend and increase the corporate limits of the City of Phoenix, Ariz., by annexing an area not within the present limits of the City of Phoenix, designated as the 95th Avenue and Broadway Road Annexation. Further request to authorize current Maricopa County zoning to continue in effect until municipal zoning is applied to the annexed territory.

Summary

The annexation was requested by Douglas Schreiber with Desert West Storage LLC, for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation. The City Clerk Department has received signed petitions representing 100 percent of the assessed value and 100 percent of the owners, excluding utilities, within the proposed annexation area.

Public Outreach

A public hearing was conducted on Sept. 21, 2022, to allow City Council to gather community comment regarding the annexation proposal. Notification of the public hearing was published in the Arizona Business Gazette newspaper, and posted in at least three conspicuous places in the territory proposed to be annexed. Also, notice by first-class mail was sent to each property owner in the area proposed to be annexed.

Location

The proposed annexation area includes Maricopa County Assessor parcel 101-36-011P, located at 9349 W. Broadway Road (**Attachment A**). The annexation area is approximately 9.52 acres (0.0149 sq. mi.) and the population estimate is three individuals.

Council District: 7

Responsible Department

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

ANNEXATION MAP

95TH AVE AND BROADWAY RD

City of Phoenix

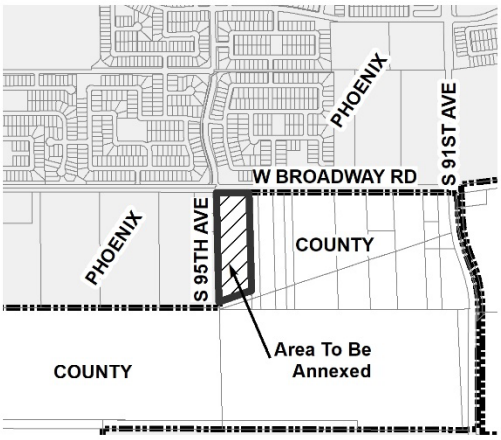
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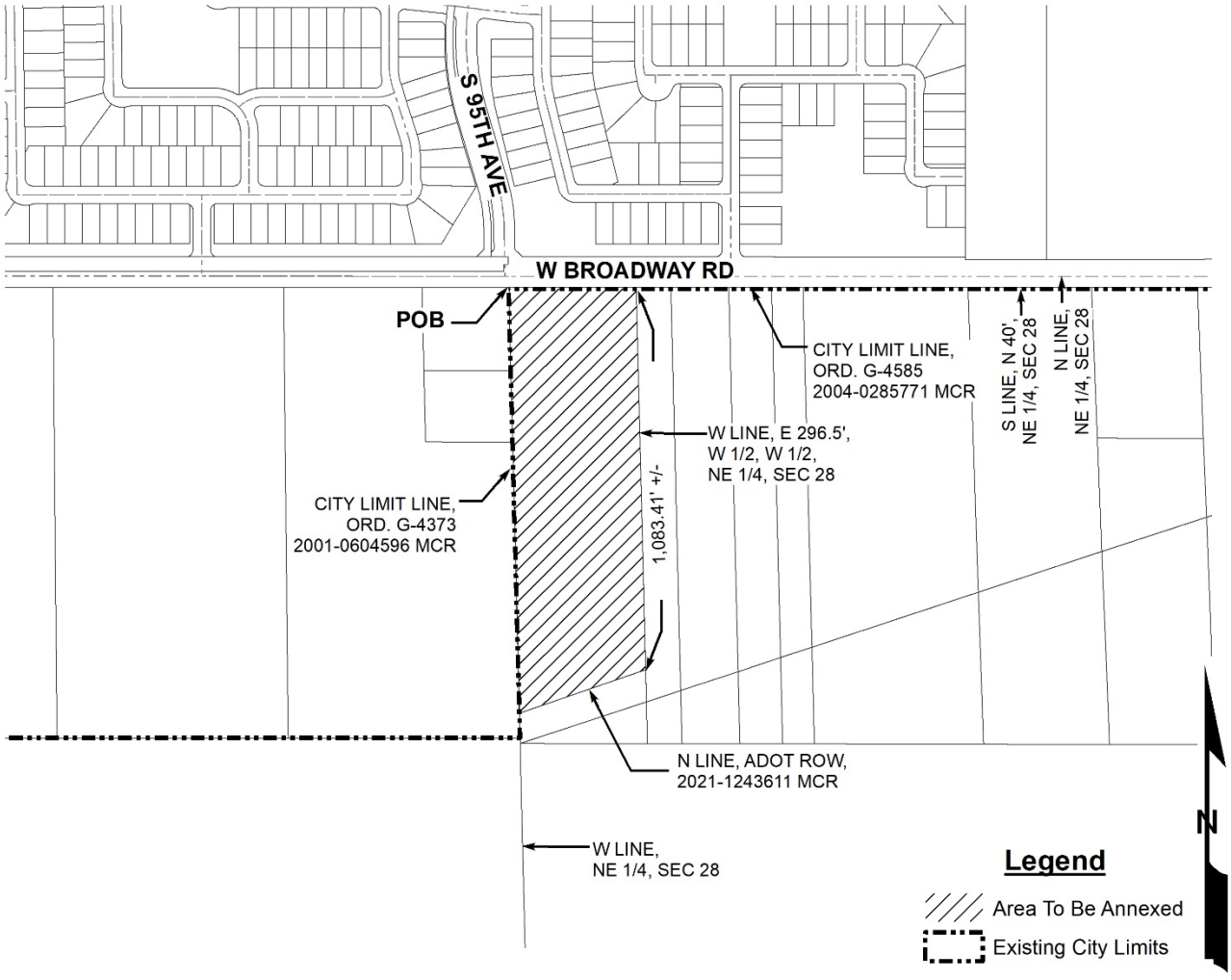
SECTION 28 T. 1 N., R. 1 E.,
G. & S. R. B. & M.

ANNEXATION NUMBER: XXX

AREA IN SQUARE MILES
0.0149

VICINITY MAP





City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 31

Form of the Ballot for the March 14, 2023 Runoff Election for Districts 6 and 8 - Emergency Clause (Ordinance S-49316)

An ordinance establishing the form of the ballot for the City of Phoenix Runoff Election in City Council District 6 and District 8 to be held on Tuesday, March 14, 2023 and declaring an emergency. This election is necessary as no candidate received a majority of the votes cast for these offices in the November 2022 Council Election.

Emergency Clause
The emergency clause is necessary to meet legal requirements for the start of early voting.

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

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 32

Designation of Voting Centers for the March 2023 Runoff Election (Ordinance S-49317)

Request for the City Council to designate voting centers for the City of Phoenix Runoff Election for Council Districts 6 and 8 to be held on March 14, 2023 and establish the days and hours for voting.

Summary

There are 10 voting center locations being proposed for the March 14, 2023 Runoff Election. For the proposed voting centers, all 10 sites are commonly used locations in City-conducted elections. Registered voters in City of Phoenix Council Districts 6 and 8 can go to any of the voting center locations to cast a ballot.

The voting centers will be open on the following dates and times:

- Saturday, March 11, 2023 from 10 a.m. to 4 p.m.
- Monday, March 13, 2023 from 9 a.m. to 6 p.m.
- Tuesday, March 14, 2023 (Election Day) from 6 a.m. to 7 p.m.

Public Outreach

Households with one or more registered voters will receive a Sample Ballot Pamphlet (SBP) in early February 2023. The SBP will contain information about the election, a list and map showing the voting center locations, and the days and hours the voting centers will be open. Information also will be available online at phoenix.gov/elections. All election information will be provided in English and Spanish.

An interactive voting center locator will be available online at phoenix.gov/elections. The locator will allow a voter to enter an address or use their current location on a mobile device to identify the nearest voting centers and see the level of voting activity at each location.

Location

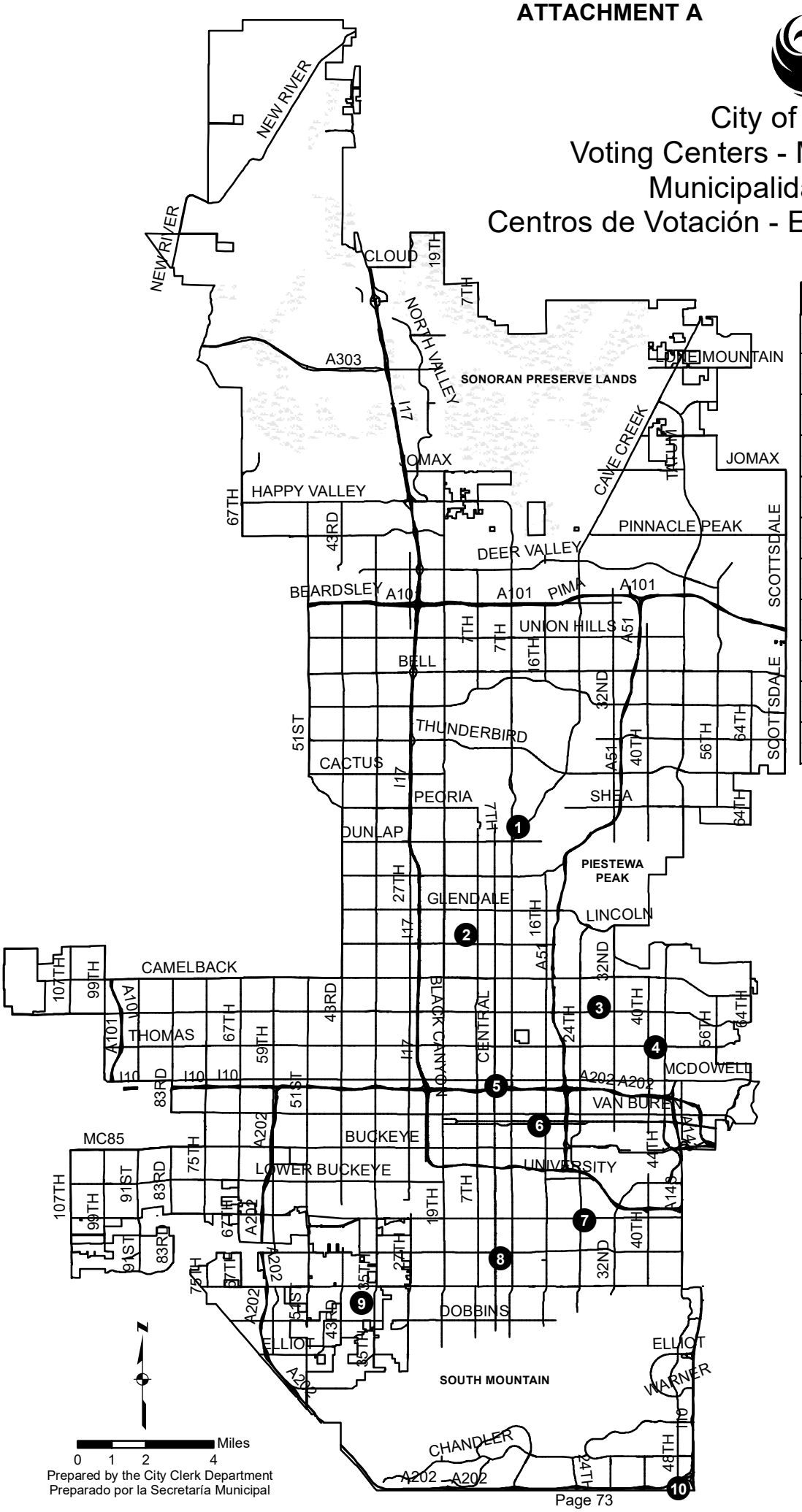
A map of the proposed voting center locations is attached (**Attachment A**).

Responsible Department

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

ATTACHMENT A

City of Phoenix
Voting Centers - March 2023 Election
Municipalidad de Phoenix
Centros de Votación - Elección de marzo de 2023



VOTING CENTER LOCATION LIST LISTA DE LAS UBICACIONES DE LOS CENTROS DE VOTACIÓN	
VC#	**VOTING CENTER FACILITY NAME**
1	**Sunnyslope Community Center** 802 E. Vogel Ave.
2	**Bethany Bible Church** 6060 N. 7th Ave.
3	**Devonshire Senior Center** 2802 E. Devonshire Ave.
4	**Memorial Presbyterian Church** 4141 E. Thomas Rd.
5	**Burton Barr Central Library** 1221 N. Central Ave.
6	**Eastlake Park Community Center** 1549 E. Jefferson St.
7	**Broadway Heritage Neighborhood Res. Ctr.** 2405 E. Broadway Rd.
8	**South Mountain Community Center** 212 E. Alta Vista Rd.
9	**Cesar Chavez Branch Library** 3635 W. Baseline Rd.
10	**Pecos Community Center** 17010 S. 48th St.

Prepared by the City Clerk Department
Preparado por la Secretaría Municipal

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 33

Grant of Irrigation Easement to Salt River Project for the Southern Avenue - 37th Lane to 41st Avenue Aesthetics Project (Ordinance S-49290)

Request to authorize the City Manager, or his designee, to grant an irrigation easement to Salt River Project (SRP) within the south half of the Southern Avenue right-of-way at approximately 41st Avenue and from approximately 39th Avenue to 37th Lane.

Additionally request the City Council grant an exception pursuant to Phoenix City Code section 42-20 to authorize inclusion in the Salt River Project easement indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code section 42-18. These provisions would obligate the City to defend and indemnify Salt River Project against liabilities or claims caused by any defect or deficiency in City's title relating to the Salt River Project easement, including but not limited to claims of trespass or inverse condemnation.

Summary
An approximate 10,331-square-foot irrigation easement within the south half of the Southern Avenue right-of-way at approximately 41st Avenue and from approximately 39th Avenue to 37th Lane is required to connect Salt River Project (SRP) irrigation facilities for construction of the Southern Avenue - 37th Lane to 41st Avenue Aesthetics Project.

Location
Within the south half of the Southern Avenue right-of-way at approximately 41st Avenue and from approximately 37th Lane to 38th Avenue.
Council District: 7

Responsible Department
This item is submitted by Deputy City Manager Mario Paniagua and the Street Transportation and Finance departments.

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 34

Acceptance of an Easement for Preservation (Ordinance S-49309)

Request for the City Council to accept an easement for preservation; further ordering the ordinance recorded.

Summary

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

Easement (a)
Applicant: Fazio Family Trust, Dated 04-19-2022, its successor and assigns
Purpose: Preservation
Location: 1913 E. Janice Way
File: FN 220095
Council District: 3

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development and Finance departments.

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 35

Acceptance and Dedication of Easements for Sidewalk and Public Utility Purposes (Ordinance S-49305)

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

Summary

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

Easement (a)
Applicant: DV Parcel A-1 Owner LP, its successor and assigns
Purpose: Sidewalk
Location: 23625 N. 19th Ave.
File: FN 220075
Council District: 1

Easement (b)
Applicant: Rebuild the Block, LLC, its successor and assigns
Purpose: Public Utility
Location: 6836 N. 13th Place
File: FN 220097
Council District: 6

Easement (c)
Applicant: High Place Properties, LLC, its successor and assigns
Purpose: Sidewalk
Location: 3609 N. 44th St.
File: FN 220094
Council District: 6

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development and Finance departments.

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 36

Technology Consulting Professional Service Agreement - Contract 144634 - Amendment (Ordinance S-49307)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 144634 with AskReply, Inc. dba B2GNOW to extend the contract term. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed, request to continue using Ordinance S-48271.

Summary

This contract will provide the B2GNOW software system to support diversity-based contracting, certification, and outreach programs. The software is integrated with contracting processes utilized by contractors, vendors, and other City of Phoenix departments such as the Water Services, Street Transportation, Public Transit, and Aviation Departments. The B2GNOW system allows for frequent updates to vendor lists, which is essential to the Federal Transit Administration and the Federal Aviation Administration assisted goal-setting requirements. The software provides for instant retrieval of Disadvantaged Business Enterprise (DBE), Airport Concessionaire Disadvantaged Business Enterprise (ACDBE), and Small Business Enterprise (SBE) firms by North American Industry Classification System codes, which is essential for DBE and SBE goal-setting. The six-month contract extension will ensure continued services while the new procurement is completed.

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

Contract Term

Upon approval the contract will be extended through July 31, 2023.

Financial Impact

The aggregate value of the contract will not exceed $155,345 and no additional funds are needed.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

• Technology Consulting Professional Service Agreement Requirements Contract -

Contract 144634 (Ordinance S-43126) on Jan. 11, 2017.
• Technology Consulting Professional Service Agreement Requirements Contract - Contract 144634 (Ordinance S-48271) on Jan. 26, 2022.

Responsible Department

This item is submitted by Deputy City Manager Inger Erickson and the Equal Opportunity Department.

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 37

Temporary Staffing Services, Requirements Contract - RFQu 19-060 - Amendment (Ordinance S-49311)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 149759 with Nesco Resource, LLC; Contract 149757 with Scott Business Group, LLC; Contract 149758 with Accurate Placement, LC; Contract 149754 with All About People, Inc.; Contract 149755 with Accounting & Finance Professionals, Inc.; and Contract 149756 with RW Staffing Solutions, LLC for the purchase of Temporary Staffing Services for all City departments. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $9 million.

Summary
Additional funds are needed to continue providing this crucial service to the City. These contracts provide temporary staff to all departments on an as-needed basis. Temporary staff are necessary to fulfill short-term or highly specialized staffing needs and to assist in the management of staffing shortages throughout the organization in support of critical citywide business and facility operations. Departments use the most cost-effective contract to hire qualified temporary staff.

Contract Term
The contract term remains unchanged, ending on June 30, 2024.

Financial Impact
Upon approval of $9 million in additional funds, the revised aggregate value of the contract will not exceed $36.5 million. Funds are available in various departments' budgets.

Concurrence/Previous Council Action
The City Council previously approved this request:
• Temporary Staffing Services - Contracts 149754, 149755, 149756, 149757, 149758, 149759 - Ordinance S-45422 on April 17, 2019.

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

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 38

Communications Infrastructure Locating Services Contract - ITS IFB 23-001 - Request for Award (Ordinance S-49304)

Request to authorize the City Manager, or his designee, to enter into an agreement with Tel Tech Networks, Inc. to provide communications infrastructure locating services for the Information Technology Services (ITS) Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the agreement will not exceed $1.9 million.

Summary

ITS operates and maintains the enterprise communications infrastructure that geographically covers more than 500 square miles. This agreement will allow ITS to continue to purchase communications infrastructure locating services and temporary markings related to underground communications infrastructure, such as empty conduit, fiber optic cabling, and copper cabling, prior to excavation. Locating and marking prior excavation is required by law to prevent accidental damage or service interruption by those engaged in subsurface excavation and drilling, which is a legal requirement for all underground facility owners-operators. Part of that maintenance responsibility is the protection of the City's infrastructure while providing continuous connectivity for the voice, video, and data networks which supports critical systems for departments such as Fire, Police, Aviation, and Water Services.

Establishing this contract will ensure ITS’ underground infrastructure supporting critical City systems are not damaged and the City is in compliance with the law. Failure to obtain locating services could result in damages to City owned fiber optic cables, which can lead to service outages to the City’s internal and external customers who currently use underground communication cables for voice, data, and video service.

Procurement Information

An Invitation for Bid procurement was processed in accordance with City of Phoenix Administrative Regulation 3.10.

One vendor submitted a bid deemed to be responsive to solicitation specifications and responsible to provide the required goods and services. Two other bids were received, but deemed non-responsive for non-compliance with solicitation requirements.

Following an evaluation based on price, the procurement officer recommends award to the following vendor:

Selected Bidder
Tel Tech Networks, Inc.: $1,872,000

Contract Term
The contract will begin on or about Jan. 1, 2023, for a five-year term.

Financial Impact
The aggregate contract value will not exceed $1.9 million. Funding is available in the Information Technology Services Department's budget.

Responsible Department
This item is submitted by Deputy City Manager Inger Erickson and the Information Technology Services Department.

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 39

Senior Services Entertainers and/or Instructors Qualified Vendor List - RFQu-22-CSSD-68 (Ordinance S-49306)

Request authorization for the City Manager, or his designee, to enter into contracts and approve adding responsive offerors to the existing Qualified Vendor List (QVL) for Senior Services Entertainers and/or Instructors. Further request to authorize the City Controller to disburse funds in an amount not to exceed $750,000 for the life of the QVL. Funding is available in the Human Services Department's (HSD) General Fund and the City's American Rescue Plan Act (ARPA) allocation as part of the Memory Cafe program.

Summary

Through its 15 Senior Centers, HSD offers a variety of programs and services designed to promote independence, maintain dignity and maximize the quality of life for Phoenix residents. These programs and services include (a) dance, fitness, music, art, theater, language, computer, and internet classes, (b) referrals for supportive services, and (c) the Memory Cafe program.

Staff requests adding seven new vendors to the Senior Services Entertainers and/or Instructors QVL.

Procurement Information

A Request for Qualifications was conducted in accordance with Administrative Regulation 3.10. HSD received a total of seven offers on Nov. 14, 2022, and all offers were determined to be responsive and responsible to the solicitation requirements.

The Procurement Officer evaluated all offers for Pass/Fail criterion on the following minimum qualifications: Two years of verifiable instruction experience and/or certification for all services being submitted.

The following offerors met all solicitation criteria and are recommended to be added to the existing QVL:

- Data Driven Wellness Consulting, LLC
- Sunshine Music Therapy, LLC

- Shannon Wallace DBA Musical Music Care
- Laura Thurbon DBA Laura Thurbon Art
- Philia Wellness, LLC
- Kay Guidera
- Wellness Source, LLC

Contract Term
The QVL is in effect from Oct. 20, 2021, through June 30, 2025, with no options to extend. The resulting contracts will be in effect on or about Jan. 1, 2023, through June 30, 2025.

Financial Impact
The total cost of the contracts will not exceed $750,000 over the life of the QVL. Funding is available in the HSD's General Fund and ARPA allocation. All ARPA funds will be expended by Dec. 31, 2023.

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

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 40

Head Start Birth to Five Program Digital Platform for Conferences and Events Qualified Vendors List - RFQu-22-EDU-67 (Ordinance S-49310)

Request to authorize the City Manager, or his designee, to approve a Qualified Vendors List (QVL) and enter into agreements with eligible contractors to provide a digital platform for conferences and events for the Head Start Birth to Five Program in an amount not to exceed $750,000 for a five-year period. Further request to authorize the City Controller to disburse all funds related to this item. Further request City Council to authorize inclusion of limitation of liability and indemnity provisions in resulting agreements pursuant to City Code 42-20.

Summary

The City of Phoenix Head Start Birth to Five Program is a high-quality early education and child development program whose goal is to prevent and eliminate a learning gap for low-income families. The program serves 3,451 children in three service options and encompasses Head Start Preschool programs, which primarily serve three- and four-year-old children, Early Head Start programs for infants and toddlers, and for pregnant women in a Home-Based setting or through a Child Care Partner.

Head Start has an ongoing need to provide information and professional development opportunities for parents, staff and community partners through professional speakers and trainers. A digital platform for in-person, virtual and hybrid events will support multiple conferences, meetings, trainings and seminars.

As is standard with software and technology services agreements, the qualified vendors may refuse to provide services absent limitation of liability and indemnity language which requires Council approval under Phoenix City Code section 42-20. Accordingly, such approval is requested to consummate agreements with qualified vendors under standard and customary limitation of liability and indemnification provisions in accordance with current market expectations.

The QVL is meant to identify qualified contractors to provide a web-based software dedicated to enhancing the attendees' experience during live, virtual and/or hybrid events.

Procurement Information
A Request for Qualifications procurement was conducted in accordance with Administrative Regulation 3.10.

Five proposals were received. Four were deemed responsive and responsible. An evaluation committee of City staff evaluated the offers based on the following criteria:

- Company History and Relevant Background
- Description of Essential Product Features
- Pricing
- Product Demonstrations

After reaching consensus, the evaluation committee recommends contract award to the following:

- Cvent, Inc.
- vFAIRS, LLC

Contract Term
The contract term will begin on or about Jan. 2, 2023, for a five-year term with no options to extend.

Financial Impact
Expenditures shall not exceed $750,000 over the life of the contracts. Funding is available from the U.S. Department of Health and Human Services, Administration of Children, Youth and Families. No additional General Funds are required.

Concurrence/Previous Council Action
On Dec. 13, 2021, the Head Start Birth to Five Policy Council approved the request to release the Digital Platform for Conferences and Events Request for Qualifications.

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

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 41

Authorization to Enter into Contract with Community Legal Services (Ordinance S-49320)

Request to authorize the City Manager, or his designee, to enter into contract with Community Legal Services to provide education and legal assistance to Phoenix tenants residing in Las Casitas, Periwinkle and Weldon Court Mobile Home Parks facing eviction proceedings. The total value of the contract will not exceed $300,000. Further request to authorize the City Controller to disburse all funds related to this item. Funding is available from the Human Services Department General Fund operating budget.

Summary

The City of Phoenix continues to see an increase in the number of individuals experiencing housing instability and homelessness, some of which is a result from an increased number of evictions. As such, it is vitally important to prevent evictions wherever possible. Community Legal Services will provide legal assistance, advocacy and representation to Phoenix tenants residing in Las Casitas (1809 W. Buckeye Rd.), Periwinkle (2728 W. Colter St.) and Weldon Court (1631 E. Weldon Ave.) Mobile Home Parks to preserve their future housing opportunities and provide tenants with legal support to effectively navigate within the eviction judicial system. Community Legal Services does not charge a fee for their legal assistance, has an established relationship with the Phoenix Justice Courts, and has considerable familiarity with working with disadvantaged and vulnerable populations.

Contract Term

The term of the contract will begin on or about Jan. 5, 2023, and end on June 30, 2024.

Financial Impact

The total value of the contract will not exceed $300,000. Funding is available from the Human Services Department General Fund operating budget.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 42

Handyman and Millwork Services - IFB 18-090 - Amendment (Ordinance S-49295)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 146675 with Signature Facilities Maintenance, LLC to extend contract term through Jan. 31, 2024. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed, request to continue using Ordinance S-44184 for funding authority.

Summary
This contract will provide handyman and millwork services to the Library Department. These services ensure that the library facilities are safe, functional, and operational for both employees and citizens of Phoenix. Additional time is needed to complete projects currently in process. An extension will allow for these crucial services to continue and for ongoing projects to be completed.

Contract Term
Upon approval the contract will be extended through Jan. 31, 2024.

Financial Impact
The aggregate value of the contract will not exceed $412,500 and no additional funds are needed.

Concurrence/Previous Council Action
The City Council previously reviewed this request:
• Handyman and Millwork Services - Contract 146675 (Ordinance S-44184) on Jan. 10, 2018.

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

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 43

Amendment to Lease Agreement Between the City of Phoenix and The Desert Botanical Garden, Inc. (Ordinance S-49312)

Request to authorize the City Manager or his designee, to execute an amendment to Lease Agreement 18484, as previously amended by Amendment Numbers one and two; entered into between the City of Phoenix and The Desert Botanical Garden, Inc., an Arizona nonprofit corporation.

Summary

Under the current terms of the 1977 Lease, The Desert Botanical Garden, Inc. (DBG) leases land from the City in Papago Park for use as a botanical garden. Under Amendment No. two to the lease, DBG uses City nonpotable Central Arizona Project water delivered from Salt River Project's (SRP) nearby Crosscut Canal for watering the DBG's plants.

DBG has now obtained a Type Two, Non-Irrigation Grandfathered Right (Type 2 Right) which will allow it to withdraw groundwater for its nonpotable uses. SRP has agreed to withdraw groundwater from an SRP well on behalf of DBG and deliver it through the Crosscut Canal for DBG's nonpotable uses at its garden. DBG anticipates operational benefits from the use of its Type 2 Right. Recognizing DBG as a significant cultural and education asset of the City, this amendment would replace Amendment 2 and would allow DBG to withdraw and use the groundwater in place of the City's Central Arizona Project water for nonpotable uses at the DBG. The City would provide a back-up supply, should the DBG have the need, which would be nonpotable Central Arizona Project water delivered through the Crosscut Canal, or potable water, at the City's option. DBG would pay the City normal rates and charges for any nonpotable or potable water delivered.

Contract Term

This amendment does not alter the term of the 1977 Lease, which is subject to renewal every five years.

Financial Impact

This amendment has no significant financial impact to the City, as it only alters the amounts of City water that will be ordered and paid for by DBG.

Concurrence/Previous Council Action

The City Council approved:
• The Desert Botanical Garden Inc. Arizona Cactus and Native Flora Society Inc Lease Agreement No. 18484-0 on July 1, 1977;
• The Desert Botanical Garden Inc. Amendment No. 18484-1 (Ordinance S-34392) on Oct. 7, 2007;
• The Desert Botanical Garden Inc. Amendment No. 18484-2 (Ordinance S-38163) on May 21, 2012.

Location

625 North Galvin Parkway
Council District: 6

Responsible Department

This item is submitted by Deputy City Managers Karen Peters and Inger Erickson and the Water Services and Parks and Recreation departments.

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 44

Occupational Clothing and Accessories - 148095 - Amendment (Ordinance S-49292)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 148095 with 030530 Uniforms, LLC dba ACE Uniforms of Phoenix for the purchase of Occupational Clothing and Accessories for the Parks and Recreation Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $10,000.

Summary
This contract will provide local alteration and embroidery services to Park Ranger and Groundskeeper staff for City-issued uniforms. The Parks and Recreation Department was not previously included on this contract and must be added before utilizing these services.

Contract Term
The contract term remains unchanged, ending on June 30, 2023.

Financial Impact
Upon approval of $10,000 in additional funds, the revised aggregate value of the contract will not exceed $85,000. Funds are available in the Parks and Recreation Department’s budget.

Concurrence/Previous Council Action
City Council approved Contract 148095 (Ordinance S-45004) on Sept 19, 2018.

Responsible Department
This item is submitted by Deputy City Managers Gina Montes and Inger Erickson and the Human Services and Parks and Recreation departments.

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 45

Aquatics Equipment, Accessories and Services - COOP 20-037 - Amendment (Ordinance S-49288)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 152412 with Vortex Aquatic Structures International to extend contract term. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed; request to continue using Ordinance S-46290.

Summary
This contract will provide equipment and services which support efforts to repair and replace current splash pad equipment and accessories, which are used in various parks throughout the City. It is necessary to keep this contract going in order to have the splash pads available for use during the summer season, pending the completion of a new procurement by the Parks and Recreation Department. There are no additional funds needed for this one-year extension.

Contract Term
Upon approval the contract will be extended through Jan. 8, 2024.

Financial Impact
The aggregate value of the contract will not exceed $100,000, and no additional funds are needed.

Concurrence/Previous Council Action
The City Council previously reviewed this request:

- Aquatics Equipment, Accessories and Services 152412 (Ordinance S-46290) on Jan. 8, 2019.

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

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 46

Authorization to Utilize City-Owned Parcels for Temporary Farmers Market and Enter Into a License with MAA Wellness Center, Inc. (Ordinance S-49313)

Request to authorize the City Manager, or his designee, to enter into a license and other agreements as necessary with MAA Wellness Center, Inc. for the operation of a temporary farmers market on vacant City-owned property at the southwest corner of 24th Street and Broadway Road. Further request authorization for the City Treasurer to accept all necessary funds related to this item. No impact to the General Fund.

Summary

The Neighborhood Services Department (NSD) manages a City-owned parcel in South Phoenix, on the southwest corner of 24th Street and Broadway Road. The parcel has been vacant for a number of years. NSD, in partnership with the Community and Economic Development Department (CEDD) is in the process of seeking redevelopment opportunities for the site. Extensive community outreach has been conducted as part of the effort, and CEDD is actively working on a request for proposals (RFP) which will seek a retail development to bring several new amenities for the community including healthy food options, health care services and other retail options. Through the public engagement conducted as part of this process, the community cited the need for healthy food options as a top priority for this development and the area has been identified as a food desert. The RFP and future development preparation process is anticipated to take more than a year. Until the time a development project is ready to move forward, CEDD and NSD are seeking to activate the site with a temporary farmers market, which will serve the surrounding community and infuse healthy food options into the area. CEDD and NSD seek to partner with a local business, MAA Wellness Center, Inc., to program and oversee operations of the farmers market. MAA Wellness Center, Inc. has agreed to enter into a license agreement and other agreements as necessary to facilitate their use of the property.

Contract Term

The term of the license is 12 months with month-to-month extensions.

Financial Impact

The license fee will be based on market rent and/or other valuable consideration, and

any fees received will be reinvested by the Neighborhood Services Department into the community.

Location
Southwest corner of 24th Street and Broadway Road (Parcel Number: 122-43-003K)
Council District: 8

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

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 47

Vestar Development II, Inc., Development Agreement for Public Infrastructure Improvements (Ordinance S-49318)

Request to authorize the City Manager, or his designee, to negotiate and enter into a development agreement, and any other agreements as necessary, with Vestar Development II, Inc., or its City-approved designee for the installation of public infrastructure improvements to include Dobbins Road from the Arizona Department of Transportation (ADOT) improvements east to 59th Avenue, and 59th Avenue from Dobbins Road to the southern boundary of the Vestar Development II, Inc.'s proposed development. Further request authorization for the City Controller to disburse funds under the terms of the agreement.

Summary

Vestar Development II, Inc. (Developer) is the owner of approximately 90 acres at the southwest corner of 59th Avenue and Dobbins Road (Site). As part of the first phase of development of the Site, the Developer proposes to construct a 375,000 square foot highly desirable vibrant town center on approximately 40 acres, which is designated as the Laveen Towne Center (Project). The Project will consist of national major anchor tenants, smaller anchor retail tenants, an entertainment user, a community gathering space, and accompanying pads and shops for lease, as well as rehabilitate and restore the Historic Hudson Farmhouse.

This area of Phoenix continues to be a high demand and high growth area for both new residential and employment uses. Although the area continues to expand, retail amenities continue to be in short supply and more options are needed to meet demand. This amenity-rich Project will not only serve residents and employees living and working in and around the South Mountain Technology Corridor and the community at large; but will also assist to alleviate the sales tax leakage Phoenix experiences as a result of the lack of retail amenities in the area. The Project is expected to add several hundred new jobs to the area over the next five years. To accommodate this growth, increased traffic, and the creation of the Project, additional public infrastructure improvements are required. Through a development agreement (DA), the Developer will construct the required public infrastructure improvements and the City will reimburse the Developer a maximum of $25 million (Reimbursement Cap) upon completion of construction, the City's acceptance of the improvements and the

dedication of the public improvements to the City. The public infrastructure improvements (Improvements) are as follows:

- A full width street to complete eastbound Dobbins Road from the ADOT improvements east to 59th Avenue, to include but not limited to: curb, gutter, sidewalk, surveying, engineering and design, excavation, site work, completion of all travel lanes and center turn lane, street lighting, traffic controls, utility work, and other related improvements (including hardscape and landscape) as required by the City.
- A full width street to complete southbound 59th Avenue from Dobbins Road to the southern boundary of the Project. To include but not limited to: curb, gutter, sidewalk, surveying, engineering and design, excavation, site work, completion of all travel lanes and center median,street lighting, traffic controls, utility work, and other related improvements (including hardscape and landscape) as required by the City.
- Installation of public utilities, including water, sewer and waste water, as required by the City.
- Rehabilitate and restore the Historic Hudson Farmstead house.
- Developer will privately finance and construct the Improvements.

Developer must comply with Title 34 of the Arizona Revised Statutes in constructing the Improvements to qualify for reimbursement, and the specifics and cost of the Improvements must be pre-approved by the City in order to qualify for reimbursement.

Reimbursement terms are as follows:

- Reimbursement shall be paid on an annual basis, in arrears, from the following sources: Years 1 through 25: 100 percent of the City’s eligible General Fund portion of the Transaction Privilege Taxes (TPT) as well as any applicable Development Impact Fees collected and received by the City for constructed public improvements that are within the Infrastructure Financing Plan, as verified by the City.
- The maximum reimbursement amount for the public infrastructure improvements, as they relate to the Project will not exceed $25 million.
- Developer is required to restore the Historic Hudson Farmhouse, pursuant to requirements from the Phoenix Historic Preservation Office and State of Arizona Historic Preservation Office. In rehabilitating and restoring the Historic Hudson Farmhouse located on the Site, the DA will not preclude Developer from seeking

additional grants from the Phoenix Historic Preservation Commission or the State of Arizona Historic Preservation Commission.

- Reimbursement shall not exceed actual verifiable costs for the approved Improvements.
- The term shall begin upon commencement of construction of the first phase of the Improvements, as made evident by the issuance of required permits (Construction Commencement Date) and continue for a period of 25 years or upon the date Developer has received reimbursements totaling the Reimbursement Cap.
- Reimbursement will not begin until after the Developer completes the Improvements, and the City has accepted the Improvements.
- The development agreement and any other agreements as necessary will include other terms and conditions as deemed necessary by the City.

The Project is an important economic development opportunity for the Laveen area that will create several hundred new jobs over time and will provide much needed retail amenities for the community, while yielding significant financial and public benefits for the City of Phoenix.

Contract Term
The term is 25 years.

Financial Impact
The maximum reimbursement amount will be $25 million from the eligible General Fund portion of the TPT collected and received by the City from the Project as well as applicable Development Impact Fees available for these Improvements. This does not include any historic preservation grant(s) as reviewed and approved the Historic Preservation section of the Planning and Development Department.

Concurrence/Previous Council Action
This item was recommended for approval by the Economic Development and Equity Subcommittee at the Dec. 13, 2022 meeting.

Public Outreach
This item was presented at the quarterly Laveen Community Meeting on Dec. 12, 2022.

Location
Generally located on the southwest corner of 59th Avenue and Dobbins Road
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: 1/4/2023, **Item No.** *48

REQUEST TO WITHDRAW (SEE ATTACHED MEMO) Radiology Read Services Contract for the Fire Department (Ordinance S-49287)

Request to authorize the City Manager, or his designee, to enter into a contract with DVT Radiology, LLC to provide radiology read services for the Fire Department. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $259,775.

Summary

The Fire Department Health Center provides on-site radiology imaging for all new firefighter hires, firefighter industrial injuries, periodic x-rays of existing firefighters, and COVID-19 post-exposure evaluations. This service allows injured firefighters to move quickly through the medical evaluation and healing process, and to return to work expeditiously. The radiology images are submitted through an electronic and HIPAA-compliant portal to be read by a board certified and licensed sub-specialty radiologist. The radiologist then electronically communicates the diagnosis to the Health Center to immediately begin treatment for the injured firefighter.

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

Procurement Information

In accordance with AR 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Without Competition. The determination memo was approved by the Assistant Finance Director recommending the contract with DVT Radiology, LLC.

The Fire Department went out to bid three times in accordance with Administrative Regulation 3.10. No bids were received from the vendor community, and no awards were made. Due to time constraints and the need to provide these critical services, the Fire Department sought approval to go directly into contract with DVT Radiology, LLC.

Contract Term

The contract will begin on or about Jan. 4, 2023, for a five-year term.

Financial Impact
The aggregate contract value will not exceed $259,775 for the five-year term. Funding is available in the Fire Department's operating budget.

Responsible Department
This item is submitted by Assistant City Manager Lori Bays and the Fire Department.

City of Phoenix

To: Lori Bays
Assistant City Manager

Date: December 30, 2022

From: Scott Walker
Executive Assistant Fire Chief
Fire Department

Subject: REQUEST TO WITHDRAW ITEM 48, RADIOLOGY READ SERVICES CONTRACT FOR THE FIRE DEPARTMENT (ORDINANCE S-49287), FROM THE JANUARY 4, 2023, FORMAL AGENDA

The purpose of this memo is to request approval to withdraw Item 48, Radiology Read Services Contract for the Fire Department (Ordinance S-49287), from the January 4, 2023, Formal Agenda. Additional time is needed for the vendor to procure the insurance.

Approved by:



Lori Bays
Assistant City Manager

Date: December 30, 2022

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 49

Fire Fighting Class A Foam - IFB 18-070 - Amendment (Ordinance S-49289)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 146981 with Perimeter Solutions LP to extend the contract term through Dec. 31, 2023. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed as the request is to continue using Ordinance S-44166.

Summary
This contract will provide firefighting Class A Foam for the Fire Department. Currently, the Fire Department operates under a tactical Standard Operating Procedure (SOP) that states Class A Foam shall be used in any situation where plain water will not be as effective as water mixed with the Class A Foam to break down the surface tension of the water allowing it to better penetrate the burning material to quickly suppress a fire. The Fire Department currently operates over 60 engines with on-board, pre-plumbed, and multiple discharge direct injection foam systems, for use citywide.

The extension allows Central Procurement sufficient time to complete a new solicitation while the Fire Department continues to provide critical property and life-saving operations.

Contract Term
Upon approval the contract will be extended through Dec. 31, 2023.

Financial Impact
The aggregate value of the contract will not exceed $446,000. No additional funds are needed.

Concurrence/Previous Council Action
The City Council previously reviewed this request:
• Fire Fighting Class A Foam Contract 146981 (Ordinance S-44166) on Jan. 10, 2018;
• Fire Fighting Class A Foam Contract 146981 (Ordinance S-48495) on April 20, 2022.

Responsible Department
This item is submitted by Assistant City Manager Lori Bays and the Fire Department.

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 50

Widebody Passenger Boarding Ramp - IFB 23-017 - Request for Award (Ordinance S-49291)

Request to authorize the City Manager, or his designee, to enter into a contract with Aviramp Limited Company to purchase a widebody passenger boarding ramp to accommodate both domestic and international flights during peak gate usage times for the Phoenix Sky Harbor International Airport. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $400,000.

Summary

This contract will provide a widebody passenger boarding ramp to accommodate remote widebody aircraft operations when boarding gates are not available. Phoenix Sky Harbor International Airport is expanding rapidly and the Aviation Department is seeking to establish a hardstand gate operation. The widebody passenger boarding ramp and remote boarding operation is a cost-effective solution to gate constraints during high-demand periods. Passengers can enplane and deplane using a widebody passenger boarding ramp and boarding a specialized busing operation via airfield COBUS vehicles to and from terminals safely and quickly.

Procurement Information

An Invitation for Bid procurement was processed in accordance with City of Phoenix Administrative Regulation 3.10.

One vendor submitted a bid and was deemed responsive and responsible to provide the required goods and services. Following an evaluation based on price, the Procurement Officer recommends award to the following vendor:

Selected Bidder
Aviramp Limited Company

Contract Term

The contract will begin on or about Feb. 1, 2023, for a two-year contract term with no options to extend.

Financial Impact
The contract value will not exceed $400,000 for the two-year contract term. Funding is available in the Aviation Department budget.

Location
Phoenix Sky Harbor International Airport: 2485 E. Buckeye Road
Council District: 8

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

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 51

Aviation Event Equipment Rental and Services Contract - RFQu 23-016 - Request for Award (Ordinance S-49296)

Request to authorize the City Manager, or his designee, to enter into contracts with Site Solar, LLC, Rideau Audio & Video Productions LLC, Form Floral LLC, and Southwest Teepee Rental LLC, to provide rental event equipment and services for the Aviation Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed $400,000.

Summary

The Aviation Department hosts numerous community and special events throughout the year, including support for Super Bowl LVII in February of 2023. The contracts will support the Aviation Department's various events by providing necessary equipment such as canopies, chairs, tables, lighting, materials, and labor and transportation as required.

Procurement Information

A Request for Qualifications procurement was processed in accordance with Administrative Regulation 3.10 to establish a Qualified Vendor List (QVL). Offerors were able to submit an offer for one or more of the groups based on its business scope. The QVL has eight event equipment category groups as follows:

Group 1: Audio Visual
Group 2: Barricades
Group 3: Carpeting/Flooring
Group 4: Event Decor
Group 5: Florists
Group 6: Furniture/Event Rental
Group 7: Linens
Group 8: Tenting

Four offerors submitted qualifications for five out of eight groups and were deemed responsive and responsible. The Procurement Officer evaluated all offers as pass or fail based on the following minimum qualifications:

- Offeror must have a minimum of two consecutive years of experience providing rental event equipment and services in the last five years.
- Offeror must have an established branch office and/or operating facility located within Maricopa County, Arizona.
- Offeror must provide a designated Project Manager with a minimum of one year of experience within the last three years providing rental event equipment and services to commercial customers.

The following vendors met the minimum qualification criteria and are being recommended for award and for placement on the QVL:

Rideau Audio & Video Productions LLC: Group 1
Southwest Teepee Rental LLC: Groups 4, 5, 6 and 8
Form Floral LLC: Group 5
Site Solar, LLC: Group 6

Contract Term
The contracts will begin on or about Jan. 15, 2023 for a five-year term with no options to extend.

Financial Impact
The contract values will not exceed $400,000. Funding is available in the Aviation Department budget.

Location
Phoenix Sky Harbor International Airport: 2485 E. Buckeye Road
Council District: 8

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

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 52

Phoenix Goodyear Airport New Apron and Taxiway Connector - Engineering Services Amendment 1 - AV41000077 FAA (Ordinance S-49298)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 149734 with C&S Engineers, Inc., to provide additional engineering services that include construction administration and inspection services for the Phoenix Goodyear Airport New Apron and Taxiway Connector 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 additional fee for services included in this amendment will not exceed $157,000.

Summary

The purpose of this project is to design a new apron and a new taxiway connector between the apron and Taxiway A at the Phoenix Goodyear Airport. The design and construction will require phasing of the project consistent with the grant availability over several years. This will require evaluation and development of the project to determine the best way to design, construct, and implement the overall project consistent with grant funds.

This amendment is necessary to align with grant funding availability from the Federal Aviation Administration Airport Improvement Program and the Arizona Department of Transportation. This amendment will provide additional funds and time to the agreement.

C&S Engineers, Inc.’s additional services include, but are not limited to: construction estimates; bidding assistance; construction safety plans; construction administration and inspection; and all requirements to meet Federal Aviation Administration and Airport Improvement Plan grant compliance.

Contract Term

The term of the agreement amendment is five years from the 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 initial agreement for engineering services was approved for an amount not to exceed $589,000, including all subconsultant and reimbursable costs. This amendment will increase the agreement by an additional $157,000, for a new total amount not to exceed $746,000, including all subconsultant and reimbursable costs.

The Aviation Department anticipates grant funding for this project. Funding is available in the Aviation 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.

Concurrence/Previous Council Action

The City Council approved:

- Engineering Services Agreement 149734, Ordinance S-45591 on May 1, 2019.

Location

Phoenix Goodyear Airport, 1658 S. Litchfield Road, Goodyear, Ariz.
Council District: Out of City

Responsible Department

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

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 53

Phoenix Deer Valley Airport Relocate Taxiway B and Construct Connectors B6 and B9 - Construction Manager at Risk Preconstruction Services - AV31000092 FAA (Ordinance S-49299)

Request to authorize the City Manager, or his designee, to enter into an agreement with J. Banicki Construction, Inc. to provide Construction Manager at Risk Preconstruction Services for the Phoenix Deer Valley Airport Relocate Taxiway B and Construct Connectors B6 and B9 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 fee for services will not exceed $400,000.

Summary

The purpose of this project is to meet updated design standards required by Federal Aviation Administration Advisory Circulars which define separation between runway and adjacent taxiway. New angled connectors are also added to reduce runway occupancy time and improve airfield efficiency.

J. Banicki Construction, Inc. will begin in an agency support role for Construction Manager At Risk Preconstruction Services. J. Banicki Construction, Inc. will assume the risk of delivering the project through a Guaranteed Maximum Price agreement.

J. Banicki Construction, Inc.’s services include, but are not limited to: detailed cost estimating and knowledge of marketplace conditions; project planning and scheduling; construction phasing and scheduling that will minimize interruption to airport and stakeholder operations; construction phasing that matches grant funding amounts; provide alternate systems evaluation and constructability studies; advise the City on ways to gain efficiencies in project delivery; provide long-lead procurement studies and initiate procurement of long-lead items; and assist in the permitting processes, and protect the owner’s sensitivity to quality, safety, and environmental factors. A Small Business Enterprise goal will be established for this project upon substantial completion of Preconstruction Services and prior to the start of construction.

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: J. Banicki Construction, Inc.

Additional Proposers
Rank 2: Kiewit Infrastructure West, Co.
Rank 3: ViaSun Corporation
Rank 4: Rummel Construction, Inc.
Rank 5: Ames Construction, Inc.

Contract Term

The term of the agreement is five 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 J. Banicki Construction, Inc. will not exceed $400,000, including all subcontractor and reimbursable costs.

The Aviation Department anticipates grant funding for this project. Funding is available in the Aviation 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.

Concurrence/Previous Council Action

The City Council previously approved:

- Engineering Services Agreement 150110 (Ordinance S-45685) on June 5, 2019.

Location

702 W. Deer Valley Road
Council District: 1

Responsible Department

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

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 54

Burrell Aviation Goodyear, LLC Ground Lease at Phoenix Goodyear Airport (Ordinance S-49308)

Request to authorize the City Manager, or his designee, to enter into a ground lease with Burrell Aviation Goodyear, LLC (Burrell) for 1,219,680 square feet (approximately 28 acres) of vacant property at Phoenix Goodyear Airport (GYR). Further request to authorize the City Treasurer to accept all funds related to the ground lease.

Summary

Burrell is requesting to enter into a ground lease at GYR for the purpose of constructing a cargo facility on the premises that may include cold storage, dry storage, maintenance and repair facilities, or other approved aeronautical uses with an investment of approximately $40 million.

Contract Term

The term shall be 35 years. The lease term will be preceded by a development term of up to three years for Burrell to construct its improvements at a reduced rate of approximately 15 percent of the rate for the lease term. Provisions of the contract may include an option to extend the term up to 10 years, which may be exercised at the sole discretion of the Director of Aviation Services.

Financial Impact

Rent for the first year of the lease term will be approximately $414,691 or $34,558 per month at the rate of $0.34 per square foot. Rent will be adjusted annually commencing one year after the rent commencement date and will be based on the Phoenix-Mesa-Scottsdale Consumer Price Index. Total anticipated revenue from the lease, if the extension option is exercised, will be approximately $18,661,095. The City of Phoenix agrees to allow rent credits of up to $4 million to be applied during the lease term to pay for infrastructure needed to make the premises functional and to facilitate future development at GYR.

Concurrence/Previous Council Action

The Phoenix Aviation Advisory Board, Business and Development Subcommittee recommended approval of the item on Nov. 3, 2022 by a vote of 3-0.
The Phoenix Aviation Advisory Board recommended approval of this item on Nov. 17,

2022 by a vote of 9-0.

Location
Phoenix Goodyear Airport: 1658 S. Litchfield Road, Goodyear, Ariz.

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

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 55

Professional Printing Services Contracts - RFQu 22-018 - Request for Award (Ordinance S-49303)

Request to authorize the City Manager, or his designee, to enter into contracts with Mark Printing & Graphics, LLC, Litho Tech Inc., and Capitol Litho Corporation for the Aviation Department to provide professional printing services on an as-needed basis. Further request to authorize the City Controller to disburse all funds related to this item. The total value of these contracts will not exceed $310,000.

Summary

The contracts will provide the Aviation Department a large variety of printed materials to enhance communication efforts with customers, community, stakeholders, and staff. Phoenix Sky Harbor International Airport (PHX) serves 43 million passengers annually, and is responsible for providing information cards, brochures, postcards, flyers, cards, invitations, newsletters, infographics, and booklets. These contracts will allow Aviation to produce high quality print materials.

Procurement Information

A Request for Qualifications procurement was processed in accordance with Administrative Regulation 3.10 to establish a Qualified Vendor List (QVL). The QVL has three distinctive commercial print groups: Group A-High End, Sheet Fed, Large Format; Group B-High End, Sheet Fed, Digital Option, Mid-Sized Format; Group C-Short Run, Digital Format.

Four offerors submitted qualifications and three offers were deemed to be responsive and responsible, one offer was deemed non-responsive. The Procurement Officer evaluated those offers based on the following minimum qualifications:

- Offeror must have a minimum of five consecutive years of experience providing professional printing services in the last eight years prior to this solicitation.
- Offeror must have an established branch office and/or operating facility located within Maricopa County, Arizona.
- Offeror must assign a Project Manager with a minimum of three consecutive years of experience within the last five years in providing professional printing services to

commercial customers.

The following vendors met the minimum qualification criteria and are being recommended award for placement on the QVL:

- Mark Printing & Graphics, LLC
- Litho Tech Inc.
- Capitol Litho Corporation

Contract Term
The contracts will begin on or about Jan. 15, 2023 for a five-year term with no options to extend.

Financial Impact
The contracts' value will not exceed $310,000 for the term of the contracts.

Funding is available in the Aviation Department's budget.

Location
Phoenix Sky Harbor International Airport: 2485 E. Buckeye Road
Council District: 8

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

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 56

Airline Common Use Paper II Contract - RFQu 23-021- Additional Vendor- Request for Award to Ordinance S-49146 (Ordinance S-49319)

Request to authorize the City Manager, or his designee, to enter into a contract with Print-O-Tape to provide paper stock for airline common use paper for boarding passes paper and standard baggage tags for the Aviation Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of all awarded contracts will not exceed $3,750,000.

Summary

This contract will provide an additional vendor to be added to the current Qualified Vendor List (QVL) for boarding pass paper and baggage tags for Phoenix Sky Harbor International Airport. The additional Request for Qualifications (RFQu) was issued to expand the number of qualified vendor options to assist in mitigating potential supply chain issues, specifically with respect to Radio Frequency Identification (RFID) bag tags which utilize chip inlays.

Boarding pass paper and baggage tags are critical elements of airport security operations. This contract will provide paper stock for airlines to print baggage tags and boarding passes on common use terminal equipment, including printers and kiosks. The handling of self-service baggage tags and boarding passes helps reduce the overall processing time for passengers and speeds up the travel process. This item has been reviewed and approved by the Information Technology Services Department.

Procurement Information

Request for Qualifications (RFQu) 23-021 Airline Common Use Paper II procurement was processed in accordance with Administrative Regulation 3.10 to expand the previously approved QVL for airline common use paper.

One offeror submitted qualifications and was deemed to be responsive and responsible. The Procurement Officer evaluated the offer based on the following minimum qualifications:

1. Offeror must have been in operation for a minimum of five consecutive years in the past 10 years in the business of supplying various types of airline common use paper

and tags.
2. Offeror must provide a designated Service Representative with a minimum of two years experience in providing common use paper to airport customers.
3. Offeror must provide products that comply with International Air Travel Associations (IATA) standards.

Print-O-Tape met the minimum qualification criteria and is being recommended for award to the currently established QVL for Airline Common Use Paper.

Contract Term
The contract will begin on or about January 15, 2023, for a five-year term with no options to extend.

Financial Impact
No additional funds are being requested. The total value for all contracts will not exceed $3,750,000 for the five-year contract term.

Funding is available in the Aviation Department budget.

Concurrence/Previous Council Action
The City Council unanimously approved Ordinance S-49146 on Nov. 16, 2022 for the original Airline Common Use Paper for Boarding Passes and Baggage Tags QVL.

Location
Phoenix Sky Harbor International Airport - 2485 E. Buckeye Road
Council District: 8

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

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 57

Traffic Signing Materials - COOP 22-087 - Amendment (Ordinance S-49301)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 156228 with Zumar Industries, Inc. to allow Aviation Department use of contract for the purchase of traffic signing materials. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $175,000.

Summary
In March 2022, City Council authorized the Street Transportation Department to enter into this cooperative agreement with Zumar Industries, Inc. This request will allow the City of Phoenix Aviation Department's Sign Shop to utilize this agreement to fabricate and maintain the signage at Sky Harbor International Airport, Deer Valley Airport, and Goodyear Airport.

Additional funds are needed to allow the Aviation Department's Sign Shop to purchase the necessary materials required to fabricate the signage critical to maintaining the Airports' traffic and way-finding signage infrastructure.

Contract Term
The contract term remains unchanged, ending on March 22, 2027.

Financial Impact
Upon approval of $175,000 in additional funds, the revised value of the contract will not exceed $1,175,000. Funds are available in the Aviation Department’s budget.

Concurrence/Previous Council Action
The City Council previously approved:
• Traffic Signing Materials, Contract 156228 (Ordinance S-48406) on March 23, 2022.

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

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 58

Traffic Control Products and Solutions - RFP 2013-100 - Amendment (Ordinance S-49297)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 146687 with Traffic and Parking Control Co., Inc. (TAPCO) to extend the contract term and allow additional expenditures to provide traffic control products and solutions for the Street Transportation, Aviation, and Phoenix Convention Center departments. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $2,200,000.

Summary
This contract will provide access to solar power dynamic signs, speed feedback signs, and other traffic products and equipment, on an as-needed basis. These items will help supplement the existing speed hump, traffic calming, signal, and safety programs in the City. In addition, aiding efforts to standardize equipment in the field in order to reduce maintenance cost and equipment down time. The Street Transportation, Aviation, and Phoenix Convention Center departments' Traffic Signal Shops require the use of roadway, traffic, and safety products to maintain safe public roadways.

Contract Term
Upon approval the contract will be extended through Jan. 31, 2024.

Financial Impact
Upon approval of $2.2 million in additional funds, the revised aggregate value of the contract will not exceed $8,340,000. Funds are available in the Street Transportation, Aviation, and Phoenix Convention Center departments' budgets.

Concurrence/Previous Action
The City Council previously reviewed this request:
Traffic Control Products and Solutions Contract 146687 (Ordinance S-44182) on Jan. 10, 2018
Traffic Control Products and Solutions Contract 146687 (Ordinance S-45378) on Feb. 20, 2019

Responsible Department

This item is submitted by Deputy City Managers Mario Paniagua and Inger Erickson, and the Street Transportation, Aviation, and Phoenix Convention Center departments.

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 59

Additional Expenditures for Forklifts (Ordinance S-49300)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 154171 with Leavitt Machinery USA, Inc. dba Reliable Forklift Sales and Contract 154173 with Handling Systems dba Raymond West Intralogistics Solution in an amount up to $1,900,000 for purchase of various types of forklifts used for operations. Further request to authorize the City Controller to disburse all funds related to this item. The revised value of the contract will not exceed $3,150,000.

Summary

These contracts are used to purchase various types of forklifts for City departments and to replace forklifts that exceed the 15-year life cycle throughout the contract. The equipment is used to safely move and lift items from one location to another within a warehouse, maintenance yard, or other facilities. Forklifts maintain the safety of the employees and prevent damage to materials being moved. The purpose of this request is to provide additional funding for unforeseen expenditures to make these forklift purchases and continue the replacements needed for, but not limited to: Public Works, Police, Fire, Parks and Recreation, Neighborhood Services, Human Resources and the City Clerk departments. The additional funding is necessary as a result of significant inflation and an increase in the number of units to be replaced.

Contract Term

The contract term is May 1, 2021, for one initial year, with four additional option years to be exercised in increments of up to one year, for a total contract term of five years.

Financial Impact

Upon approval of $1,900,000 in additional funds, the revised value of the contracts will not exceed $3,150,000. Funds are available in various departments' budgets.

Concurrence/Previous Council Action

The City Council previously approved:

- Contract 154171 and Contract 154173 (Ordinance S-47474) on April 21, 2021.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 60

Water Conservation Plumbing Fixture Replacement Program (Ordinance S-49293)

Request to authorize the City Manager, or his designee, to create and fund eight additional Public Works Department positions, and to expand the fleet by eight additional vehicles, to staff the Plumbing Fixture Replacement Program to retrofit plumbing fixtures throughout City facilities to improve water efficiency.

Summary

City of Phoenix operations is one of the highest volume water users in the city. As a desert city and recognizing the Colorado River is in decline due to overallocation and widespread drought conditions, the City of Phoenix must reduce water use in City operations and within City facilities to lead by example. This initiative will invest in the replacement of outdated, high water use plumbing fixtures with new water efficient plumbing fixtures within City facilities such as toilets, faucets, and shower heads.

The Water Services Department has completed water audits of most City facilities. Analysis of audit data demonstrates that over 90 percent of toilets are outdated, do not meet current standards, and use significantly more water than modern fixtures due to end-of-life condition and leaks. Replacing older inefficient plumbing fixtures in General Fund City facilities will save the City billions of gallons of water annually and demonstrate that Phoenix is a leader in water resource stewardship.

Staff have analyzed the data from the water audits and developed a staffing and implementation plan for the proposed Plumbing Fixture Replacement Program to exchange approximately 2,500 toilets, 1,000 urinals, 2,500 faucets, and 500 shower heads in City facilities. Upon program approval, staff intends to complete the program within approximately 18 months.

In 2022, the Phoenix City Council approved an agreement in which the City created system conservation using a portion of its Colorado River allocation that was left in Lake Mead to the conservation efforts. In return for forbearing that portion of the allocation, the City received compensation that the Council determined would be for water conservation projects. Staff proposes to use $2 million of those funds for this program, which will achieve substantial water use reduction.

Financial Impact

The estimated cost for the eight additional positions is approximately $1.4 million for the duration of the program. Water Services has allocated $2 million for the program and $1.4 million from Public Works in Fiscal Year 2023-24 using General Fund Resources, for a total of $3.4 million to provide funding to the program, including the positions.

Funding is available in the Water Services and Public Works Departments' budgets. Upon completion of the program, the ongoing costs for the additional positions will be paid with client departments' funds based on work orders.

Concurrence/Previous Council Action

The City Council approved Agreement 156216 (Ordinance S-48254) on Jan. 5, 2022; The City Council amended Ordinance S-48254 on July 1, 2022.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Water Services and Public Works departments.

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 61

Water Conserving Plumbing Parts and Fixtures Agreement (Ordinance S-49294)

Request to authorize the City Manager, or his designee, to enter into an agreement with Browns Partsmaster, Inc. for supply of water conserving plumbing parts and fixtures. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the agreement will not exceed $2 million.

Summary

The Public Works Department is responsible for maintaining the plumbing fixtures in City-owned facilities. As a desert city and recognizing the Colorado River is in decline due to overallocation and widespread drought conditions, the City must reduce its water usage in city operations and within city facilities. As part of the City's water saving initiative, this agreement will allow Public Works to purchase water efficient plumbing fixtures to replace current high water usage fixtures. The fixtures purchased under the agreement include flushometers, faucets, shower heads, and other water saving components, and will be Environmental Protection Agency (EPA) approved WaterSense high efficiency fixtures. The replacement of these fixtures throughout City-owned facilities is expected to reduce water consumption citywide.

Procurement Information

Invitation for Bid 23-FMD-026 was conducted in accordance with Administrative Regulation 3.10. Five offers were received by the Public Works Department Procurement Services Division on Sept. 28, 2022. The offers were evaluated based on price, responsiveness to all specifications, terms and conditions, and responsibility to provide the required products. The offer submitted by Browns Partsmaster, Inc. was deemed fair and reasonable.

Browns Partsmaster, Inc.: $1,982,705.25 bid total

Contract Term

The one-year term of the agreement will begin on or about Jan. 1, 2023. The agreement will include four one-year options to extend the term, for a total agreement term of up to five years if all options are exercised.

Financial Impact

The value of the agreement, including all option years, is $2 million, including all applicable taxes.

Funding is available in the Water Revenue Fund and Public Works Department's budget.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Water Services and Public Works departments.

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 62

91st Avenue Wastewater Treatment Plant Solids Rehabilitation Phase I - Construction Manager at Risk Construction Services Amendment - WS90100111 (Ordinance S-49302)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 153445 with PCL Construction, Inc. to provide additional Construction Manager at Risk Construction Services, for the 91st Avenue Wastewater Treatment Plant, Solids Rehabilitation Phase I 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.

Summary
The purpose of this project is to rehabilitate, replace, and make improvements to the solids thickening, solids digestion, and solids dewatering equipment, piping, instrumentation, and processes at the 91st Avenue Wastewater Treatment Plant (WWTP).

This amendment is necessary to extend the contract term for construction services. This amendment will provide additional time to the agreement.

The 91st Avenue WWTP is owned by the Sub-Regional Operating Group (SROG) and operated by the City of Phoenix.

Contract Term
The amendment will extend the contract's term by five years, to on or about Jan. 6, 2028. Work scope identified and incorporated into the agreement prior to the end of the term, may be agreed to by the parties.

Financial Impact
No additional fee for services is needed, the amendment is to extend contract time only.

Concurrence/Previous Council Action
The SROG advisors:

- Authorized the project on June 10, 2020.

The City Council approved:

- Engineering Services Agreement 152491 (Ordinance S-46821) on July 1, 2020;
- CMAR Preconstruction Services Agreement 152492 (Ordinance S-46823) on July 1, 2020; and
- CMAR Construction Services Agreement 153445 (Ordinance S-47146) on Dec. 2, 2020.

Location
91st Avenue WWTP
Council District: 7

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: 1/4/2023, **Item No.** 63

Final Plat - 83rd Thomas Townhomes - PLAT 210054 - Southeast Corner of 83rd Avenue and Thomas Road

Plat: 210054
Project: 20-3485
Name of Plat: 83rd Thomas Townhomes
Owner: FIG Timber Woods, LLC and Columbia Group, LTD
Engineer: Colin D. Harvey, RLS
Request: A Three-Lot Commercial Plat
Reviewed by Staff: Nov. 11, 2022
Final Plat requires Formal Action Only.

Summary
Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public.

Location
Generally located at the southeast corner of 83rd Avenue and Thomas Road
Council District: 7

Responsible Department
This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 64

Final Plat - 99th Avenue Logistics - PLAT 210107 - South of Buckeye Road and East of 99th Avenue

Plat: 210107
Project: 19-255
Name of Plat: 99th Avenue Logistics
Owner: South 99th Avenue LP, West Buckeye RD, LP
Engineer: James A. Brucci, RLS
Request: A Three-Lot Commercial Plat
Reviewed by Staff: Dec. 20, 2022
Final Plat requires Formal Action Only

Summary
Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public.

Location
Generally located south of Buckeye Road and east of 99th Avenue
Council District: 7

Responsible Department
This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 65

Final Plat - Paul Davis Restoration - PLAT 220059 - North of Southern Avenue and East of 36th Street

Plat: 220059
Project: 21-2316
Name of Plat: Paul Davis Restoration
Owner: CTC Properties, LLC
Engineer: Geoffrey K. Brimhall, RLS
Request: A One-Lot Commercial Plat
Reviewed by Staff: Nov. 23, 2022
Final Plat requires Formal Action Only

Summary
Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public.

Location
Generally located north of Southern Avenue and east of 36th Street
Council District: 8

Responsible Department
This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 66

Amend City Code - Ordinance Adoption - Rezoning Application Z-4-22-1 - Northeast Corner of 29th Avenue and Dunlap Avenue (Ordinance G-7067)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-4-22-1 and rezone the site from PSC (Planned Shopping Center) and C-2 (Intermediate Commercial) to C-2 (Intermediate Commercial) to allow a shopping center with expanded uses permitted in C-2.

Summary

Current Zoning: PSC and C-2
Proposed Zoning: C-2
Acreage: 1.09 acres
Proposed Use: Shopping center with expanded uses permitted in C-2

Owner: GM Metro, LLC and GM ELPED, LLC
Applicant: William F. Allison, Withey Morris, PLC
Representative: William F. Allison, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The North Mountain Village Planning Committee heard this case on July 20, 2022, and continued the case to the Aug. 17, 2022, meeting. The Aug. 17, 2022, and Oct. 19, 2022, meetings were canceled. The North Mountain Village Planning Committee heard this case on Nov. 16, 2022, and recommended approval, per the staff recommendation (Addendum A), by a vote of 11-0.
PC Action: The Planning Commission heard this case on Dec. 1, 2022, and recommended approval, per the North Mountain Village Planning Committee recommendation, by a vote of 9-0.

Location

Northeast corner of 29th Avenue and Dunlap Avenue
Council District: 1
Parcel Address: 9100 N. Black Canyon Highway

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-4-22-1) FROM PSC (PLANNING SHOPPING CENTER DISTRICT) AND C-2 (INTERMEDIATE COMMERCIAL DISTRICT) TO C-2 (INTERMEDIATE COMMERCIAL DISTRICT).

_____

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

SECTION 1. The zoning of a 1.09-acre property located approximately at the northeast corner of 29th Avenue and Dunlap Avenue in a portion of Section 26, Township 3 North, Range 2 East, as described more specifically in Exhibit “A,” is hereby changed from 0.82-acres of “PSC” (Planned Shopping Center District) and 0.27-acres of “C-2” (Intermediate Commercial District), to “C-2” (Intermediate Commercial).

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. Prior to the issuance of permits for tenant improvements, the developer shall provide three Inverted-U bicycle racks near the primary entrances to each building exceeding 5,000 square feet in floor area. These bicycle racks shall be shaded to 50 percent and installed per the requirements of Section 1307(H) of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.

2. A pedestrian path, constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces and drive aisles, shall be provided across the drive aisle located on the western edge of the building connecting the building with the parking area to the west, as approved by the Planning and Development Department.

3. 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.

4. 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.

5. 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 4th day of January, 2023.

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_____
MAYOR

ATTEST:

_____
Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:
_____
_____

REVIEWED BY:

_____
Jeffrey Barton, City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

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EXHIBIT A

LOT 4, OF METRO MARKETPLACE, RECORDED IN BOOK 1190 OF MAPS, PAGE 39, RECORDS OF MARICOPA COUNTY, ARIZONA, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 3 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A CITY OF PHOENIX BRASS CAP IN HANDHOLE MARKING THE SOUTHEAST CORNER OF SAID SECTION 26 FROM WHICH A CITY OF PHOENIX BRASS CAP IN HANDHOLE MARKING THE SOUTH QUARTER CORNER OF SAID SECTION 26 BEARS NORTH 89 DEGREES 56 MINUTES 04 SECONDS WEST 2639.14 FEET, SAID DESCRIBED LINE BEING THE BASIS OF BEARINGS OF THIS
DESCRIPTION;

THENCE NORTH 89 DEGREES 56 MINUTES 04 SECONDS WEST 513.80 FEET ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER TO THE SOUTHERLY PROLONGATION OF THE WEST LINE OF LOT 5B, METRO MARKETPLACE 2, BOOK 1263 OF MAPS, PAGE 33, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 00 DEGREES 23 MINUTES 09 SECONDS EAST 240.62 FEET ALONG SAID WEST LINE TO THE SOUTHWEST CORNER OF SAID LOT 5B;

THENCE CONTINUING NORTH 00 DEGREES 23 MINUTES 09 SECONDS EAST 165.63 FEET ALONG SAID WEST LINE TO THE SOUTHEAST CORNER OF SAID LOT 4 AND THE POINT OF BEGINNING;

THENCE NORTH 89 DEGREES 59 MINUTES 05 SECONDS WEST 346.67 FEET ALONG THE SOUTH LINE OF SAID LOT 4 TO THE SOUTHWEST CORNER OF SAID LOT 4; THENCE NORTH 00 DEGREES 23 MINUTES 01 SECONDS EAST 135.28 FEET ALONG THE WEST LINE OF SAID LOT 4 TO THE NORTHWEST CORNER OF SAID LOT 4 AND THE BEGINNING OF A NON TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 137.00 FEET AND A CHORD BEARING OF NORTH 85 DEGREES 10 MINUTES 37 SECONDS EAST 24.87 FEET;

THENCE EASTERLY ALONG THE NORTH LINE OF SAID LOT 4 AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10 DEGREES 24 MINUTES 48 SECONDS, AN ARC LENGTH OF 24.90 FEET;

THENCE SOUTH 89 DEGREES 36 MINUTES 59 SECONDS EAST 321.91 FEET ALONG SAID NORTH LINE TO THE NORTHEAST CORNER OF SAID LOT 4;

THENCE SOUTH 00 DEGREES 23 MINUTES 09 SECONDS WEST 135.31 FEET ALONG THE EAST LINE OF SAID LOT 4 TO THE POINT OF BEGINNING.

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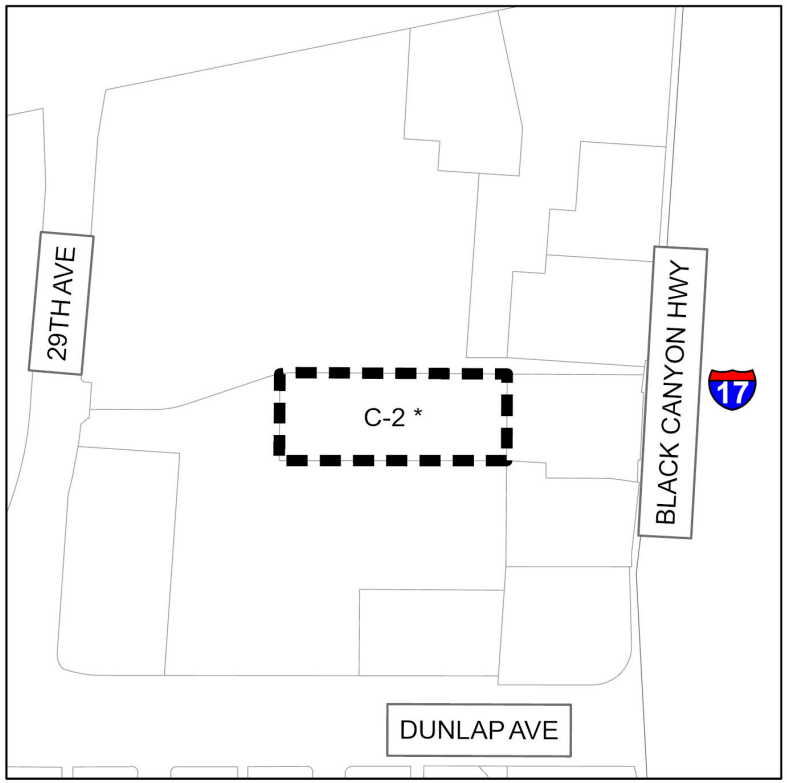
ORDINANCE LOCATION MAP

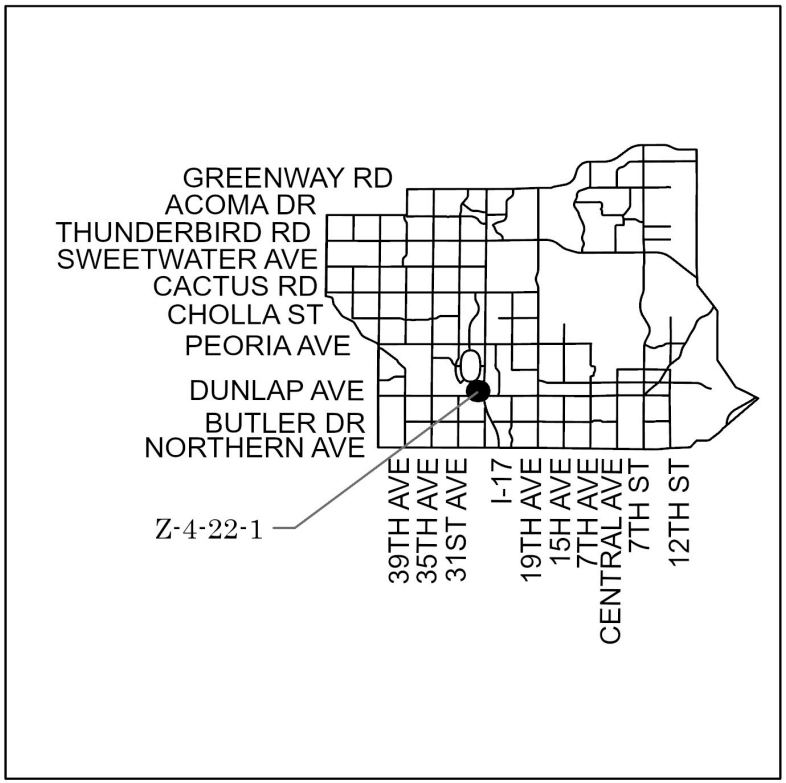
EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA:

Zoning Case Number: Z-4-22-1
Zoning Overlay: N/A
Planning Village: North Mountain





NOT TO SCALE

N

Drawn Date: 12/12/2022

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City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 67

Amend City Code - Ordinance Adoption - Rezoning Application Z-44-22-1 (Deer Valley Medical Center PUD) - Southeast Corner of 27th Avenue and the Loop 101 Freeway (Ordinance G-7066)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-44-22-1 and rezone the site from C-2 (Intermediate Commercial), C-2 HR (Intermediate Commercial, High-Rise and High Density District), C-2 SP (Intermediate Commercial, Special Permit), C-2 HR SP (Intermediate Commercial, High-Rise and High Density District, Special Permit) and PCD (Approved C-2 PCD) (Planned Community District, Approved Intermediate Commercial, Planned Community District) to PUD (Planned Unit Development) to allow a medical center.

Summary

Current Zoning: C-2 (6.40 acres), C-2 HR (1.76 acres), C-2 SP (0.06 acres), C-2 HR SP (9.94 acres), PCD (Approved C-2 PCD) (0.06 acres)
Proposed Zoning: PUD
Acreage: 18.22 acres
Proposal: Medical Center

Owner: HonorHealth
Applicant: Wendy Riddell, Berry Riddell, LLC
Representative: Mark Tiscornia, Cuningham

Staff Recommendation: Approval, subject to stipulations.
VPC Info Only: The Deer Valley Village Planning Committee heard this case on Sept. 8, 2022, for information only.
VPC Action: The Deer Valley Village Planning Committee was scheduled to hear this case on Nov. 10, 2022, but did not provide a recommendation due to a lack of quorum.
PC Action: The Planning Commission heard this case on Dec. 1, 2022, and recommended approval, per the staff recommendation, by a vote of 9-0.

Location

Southeast corner of 27th Avenue and the Loop 101 Freeway

Council District: 1
Parcel Address: 19829 and 19841 N. 27th Ave.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-44-22-1) FROM C-2 (INTERMEDIATE COMMERCIAL DISTRICT), C-2 HR (INTERMEDIATE COMMERCIAL, HIGH-RISE AND HIGH DENSITY DISTRICT), C-2 SP (INTERMEDIATE COMMERCIAL, SPECIAL PERMIT DISTRICT), C-2 HR SP (INTERMEDIATE COMMERCIAL, HIGH-RISE AND HIGH DENSITY DISTRICT, SPECIAL PERMIT), PCD (APPROVED C-2 PCD) (PLANNED COMMUNITY DISTRICT, APPROVED INTERMEDIATE COMMERCIAL, 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 an 18.22-acre site located at the southeast corner of 27th Avenue and the Loop 101 Freeway in a portion of Section 25, Township 4 North, Range 2 East, as described more specifically in Exhibit “A,” is hereby changed from 6.40 acres of “C-2” (Intermediate Commercial District), 1.76 acres of “C-2 HR” (Intermediate Commercial, High-Rise and High Density District), 0.06 acres of “C-2 SP” (Intermediate Commercial, Special Permit District), 9.94 acres of “C-2 HR SP”

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(Intermediate Commercial, High-Rise and High Density District, Special Permit), and 0.06 acres of PCD (Approved C-2 PCD) (Planned Community District, Approved Intermediate Commercial, 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, 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 Deer Valley Medical Center PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped October 21, 2022, as modified by the following stipulations:

    a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: October 21, 2022; City Council adopted: [Add adoption date]; remove 3rd submittal line.

    b. Page 3, Section C. List of Uses, Accessory Uses:
        (1) Add the following conditions under Mobile Vending:
            - Subject to all condition of Section 624.D.87.a through m of the Zoning Ordinance.
            - The mobile vending use shall occur no more than one day per week for five mobile vending units or no more than two days per week for less than five mobile vending units.
            - The use is limited to the hours of 7am to 10pm.
        (2) Remove the following condition under Mobile Vending:
            - All parking shall be contained on-site.

DRAFT

2. The applicant shall submit a Traffic Impact Study/Statement to the City for this development. The developer shall be responsible for cost and construction of all mitigation identified through the analysis. No preliminary approval of plans shall be granted until the study is reviewed and approved by the Street Transportation Department.

3. 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.

4. The developer shall provide documentation to the City 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.

5. 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.

6. 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 4th day of January, 2023.

_____

MAYOR

DRAFT

ATTEST:

_____
Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:
_____
_____

REVIEWED BY:

_____
Jeffrey Barton, City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

Being a portion of the Northwest 1/4 of Section 25, Township 4 North, Range 2 East, Gila and Salt River Base and Meridian, Maricopa County, Arizona more particularly described as:

Lot 1 of the Final Plat for “John C. Lincoln Deer Valley” as recorded in Book 539, Page 29 of the Maricopa County Recorder on August 1, 2000.

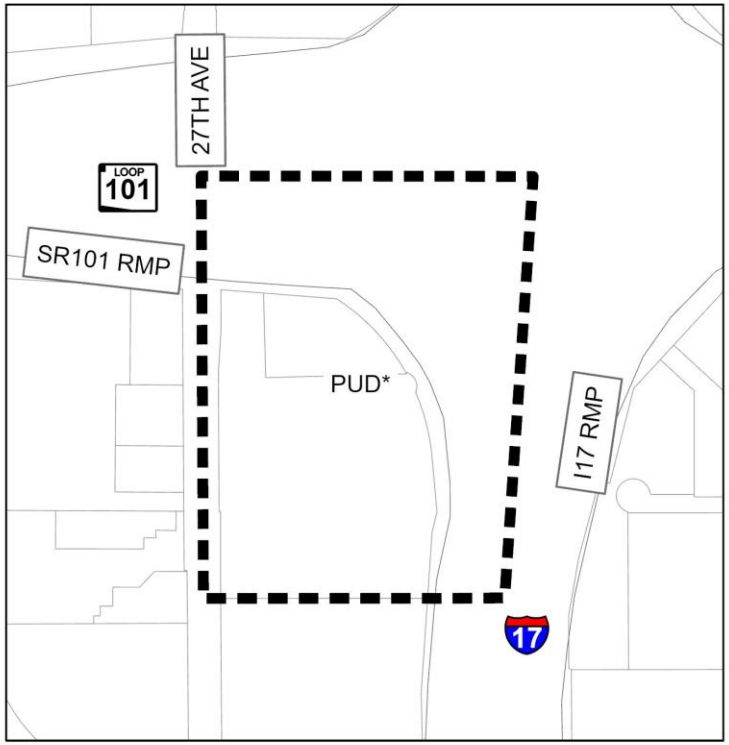
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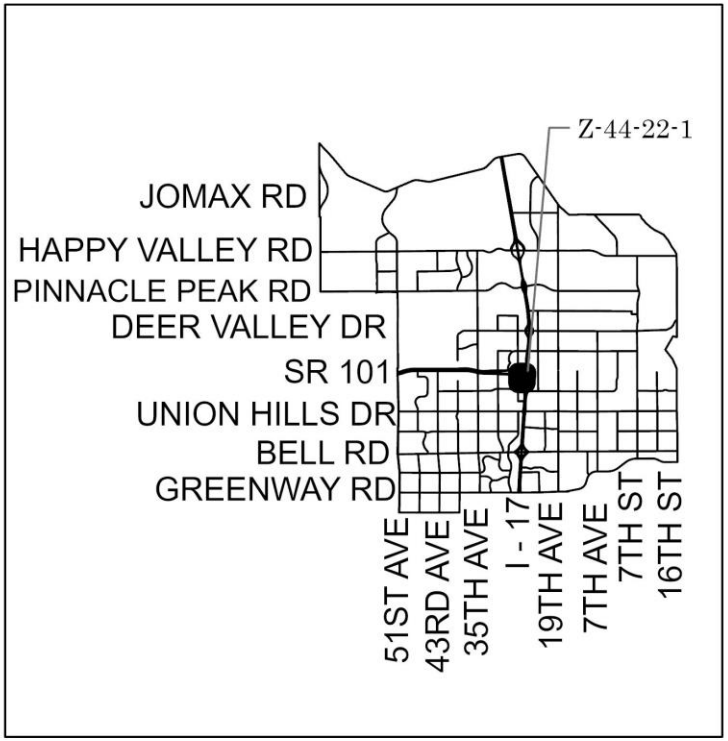
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-44-22-1
Zoning Overlay: N/A
Planning Village: Deer Valley





0 250 500 1,000 Feet

NOT TO SCALE

N

Drawn Date: 12/12/2022

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City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 68

Amend City Code - Official Supplementary Zoning Map 1240 (Ordinance G-7065)

Request to authorize the City Manager, or his designee, to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1240. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with a portion of Z-104-75 and the entitlements are fully vested.

Summary

To rezone the southwest corner of 23rd Avenue and Grandview Road
Application No.: Z-104-75
Zoning: IND. PK. PCD (13.48 acres) and S-1 PCD (2.58 acres)
Owner: Orsett and Orsett Northgate 2501, LLC
Acreage: 16.06

Location

Southwest corner of 23rd Avenue and Grandview Road
Address: 2401 and 2501 W. Grandview Road
Council District: 3

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson 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 SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY ADOPTING OFFICIAL SUPPLEMENTARY ZONING MAP 1240.

_____

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

SECTION 1. That Section 601 of the City of Phoenix Zoning Ordinance is hereby amended by adopting Official Supplementary Zoning Map 1240, which accompanies and is annexed to this ordinance and declared a part hereof.

PASSED by the Council of the City of Phoenix this 4th day of January, 2023.

_____
M A Y O R

ATTEST:

_____
Denise Archibald, City Clerk

DRAFT

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:_____
_____

REVIEWED BY:

_____
Jeffrey Barton, City Manager

PL:LF22-1929:12-14-2022

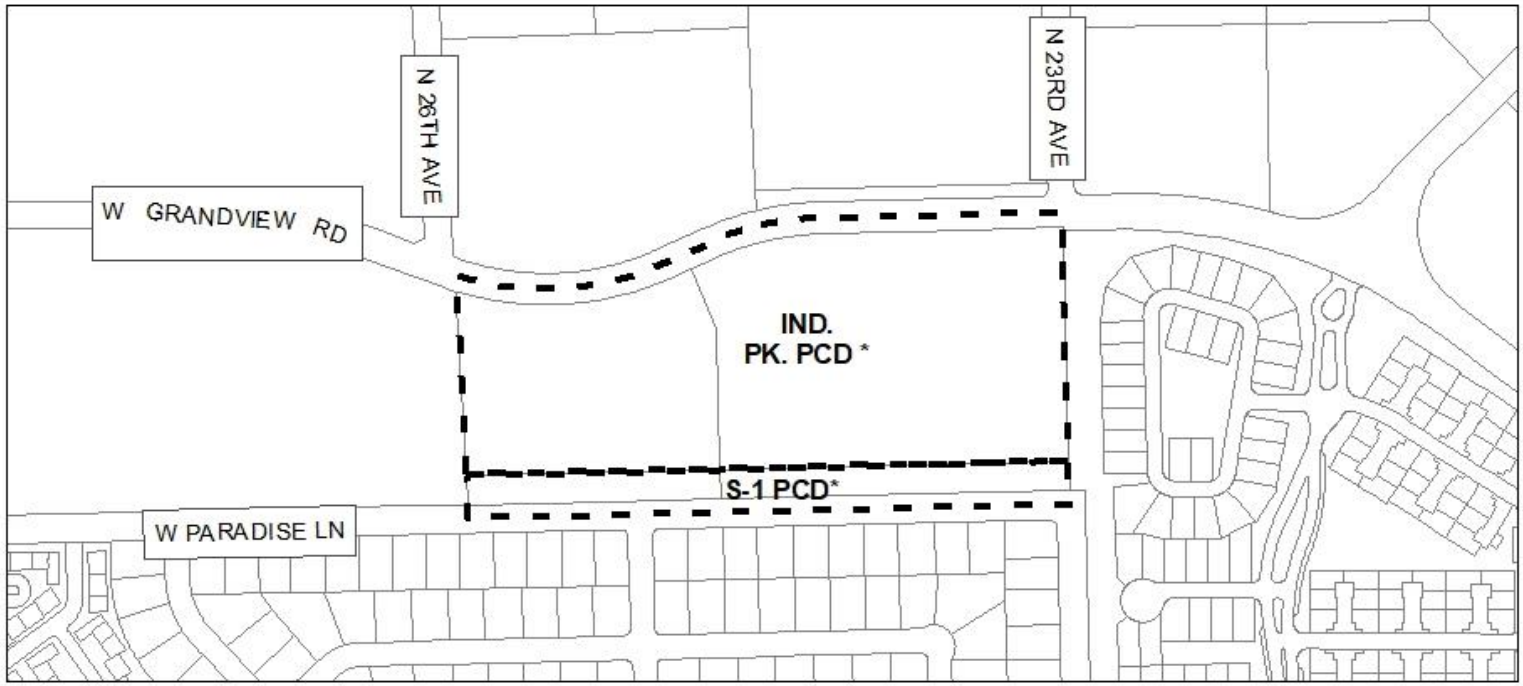
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OFFICIAL SUPPLEMENTARY ZONING MAP NO. 1240

Sheet 1 of 1

ORDINANCE NO. _____ AMENDING SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE

Passed by the Council of the City of Phoenix, Arizona this 4th day of January 2023.



A Portion of Z-104-75

Drawn by: KS

N

ZONING SUBJECT TO STIPULATIONS: *

AREA INVOLVED BOUNDED THUS: - - - -

City of Phoenix

Report

Agenda Date: 1/4/2023, **Item No.** 69

Public Hearing and Ordinance Adoption - Rezoning Application Z-43-22-2 - Southeast Corner of 57th Street and Shea Boulevard (Ordinance G-7068)

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, section 601, the Zoning Map of the City of Phoenix, and consider adopting Rezoning Application Z-43-22-2 to rezone the site from RE-43 (One-Family Residence) to R-O (Residential Office) to allow a residential office.

Summary

Current Zoning: RE-43
Proposed Zoning: R-O
Acreage: 1.37
Proposed Use: Residential office

Owner: 10441 North 57th Street Holdings
Applicant: Jason Morris, Withey Morris, PLC
Representative: Jason Morris, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Paradise Village Planning Committee heard this case on Sept. 12, 2022, and continued the case, by a vote of 15-0. The Paradise Village Planning Committee heard this case on Oct. 3, 2022, and continued the case, by a vote of 15 -0. The Paradise Valley Planning Committee heard this case on Nov. 7, 2022, and recommended approval, per the staff recommendation (Addendum A), with additional stipulations, by a vote of 9-5.
PC Action: The Planning Commission heard this case on Oct. 6, 2022, and continued the case to the Dec. 1, 2022, by a vote of 9-0. The Planning Commission heard this case on Dec. 1, 2022, and recommended approval per the staff memo, dated Dec. 1, 2022, with an additional stipulation, by a vote of 8-1.
The Planning Commission recommendation was appealed by a community member on Dec 7, 2022, and a petition for a three-quarter vote was submitted on Dec. 8, 2022. A three-quarter vote is not required.

Location
Southeast corner of 57th Street and Shea Boulevard
Council District: 2
Parcel Address: 10441 N. 57th St.

Responsible Department
This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-43-22-2) FROM RE-43 (ONE-FAMILY RESIDENCE DISTRICT) TO R-O (RESIDENTIAL OFFICE DISTRICT).

_____

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

SECTION 1. The zoning of a 1.37-acre property located at the southeast corner of 57th Street and Shea Boulevard in a portion of Section 28, Township 3 North, Range 4 East, as described more specifically in Exhibit “A,” is hereby changed from “RE-43” (One-Family Residence District), to “R-O” (Residential Office District).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit “B.”

SECTION 3. Due to the site’s specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations,

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violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. The development shall be in general conformance with the site plan date stamped November 2, 2022 and elevations date stamped November 2, 2022, with specific regard to the inclusion of metal fascia, wood finish, and stone veneer walls or split face block, as modified by the following stipulations and approved by the Planning and Development Department.

2. The detached garage structure shall not exceed 4,615 square feet in size.

3. The maximum building height shall be 23 feet.

4. A minimum building setback of 15 feet shall be provided along the south property line.

5. A minimum 10-foot landscape setback shall be provided along the east property line and planted with minimum 2-inch caliper trees placed 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

6. The south landscape setback shall be planted with minimum 50 percent 2-inch caliper and minimum 50 percent 3-inch caliper large canopy, drought tolerant trees, as approved by the Planning and Development Department.

7. The north landscape setback shall be planted with minimum 50 percent 2-inch caliper and minimum 50 percent 3-inch caliper large canopy, drought tolerant trees, as approved by the Planning and Development Department.

8. The front yard setback along 57th Street shall be planted with minimum 50 percent 2-inch caliper trees, minimum 25 percent 3-inch caliper trees, and minimum 25 percent 4-inch caliper trees to be placed 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

9. The developer shall maintain the exiting detached sidewalk landscape area located between the back of curb and sidewalk along Shea Boulevard and replenish it to the following standards, as approved by the Planning and Development Department.

    a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees to provide a minimum 75% shade.

    b. Drought tolerant shrubs and vegetative groundcovers maintained to a maximum height of 24 inches to provide a minimum of 75% live

DRAFT

coverage at maturity.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

10. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast parking and drive aisle surfaces, as approved by the Planning and Development Department.

11. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper size large canopy drought tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25 percent shade at maturity, as approved by Planning and Development Department.

12. A minimum of 4 bicycle parking spaces shall be provided through Inverted U and/or artistic racks dispersed throughout the site and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.

13. The developer shall dedicate minimum 55-feet of right-of-way and a 10-foot-wide sidewalk easement for the south half of Shea Boulevard, as approved by the Planning and Development Department.

14. 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.

15. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

16. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

17. A minimum 30-foot building setback shall be provided along the south and east property lines.

18. The elevations shall contain design elements of residential character, as approved by the Planning and Development Department.

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19. Prior to preliminary site plan approval, the developer shall apply for the on-street parking zones program in order to install no parking signs along 57th Street adjacent to the subject site.

20. The detached garage shall have a maximum of four parking spaces, as approved by the Planning and Development Department.

21. The property shall not be subdivided or split.

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 4th day of January, 2023.

_____
MAYOR

ATTEST:

_____
Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:
_____
_____

REVIEWED BY:

DRAFT

_____
Jeffrey Barton, City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

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EXHIBIT A

A PORTION OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 3 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASELINE AND MERIDIAN, MARICOPA COUNTY, ARIZONA DESCRIBED AS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 28, FROM WHICH THE NORTH QUARTER CORNER OF SAID SECTION BEARS SOUTH 87 DEGREES 45 MINUTES 55 SECONDS EAST, 2620.52 FEET:

THENCE ALONG SAID NORTH LINE SOUTH 87 DEGREES 45 MINUTES 55 SECONDS EAST, 660.17 FEET TO THE INTERSECTION OF 57TH STREET AND SHEA BOULEVARD AND THE POINT OF BEGINNING;

THENCE ALONG SAID NORTH LINE SOUTH 87 DEGREES 45 MINUTES 55 SECONDS EAST, 324.14 FEET;

THENCE DEPARTING SAID NORTH LINE SOUTH 02 DEGREES 14 MINUTES 05 SECOND WEST, 40.00 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF SHEA BOULEVARD AND THE NORTHEAST CORNER OF LOT 13, COUNTRY CLUB ACRES, AS RECORDED IN BOOK 70 AND PAGE 21 OF THE OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE ALONG THE EAST LINE OF SAID LOT 13 SOUTH 00 DEGREES 01 MINUTES 20 SECONDS WEST,
148.52 FEET TO THE MIDPOINT OF THE SAID EAST LINE;

THENCE DEPARTING SAID EAST LINE NORTH 87 DEGREES 46 MINUTES 57 SECONDS WEST, 297.56 FEET, TO A POINT ON THE WEST LINE OF SAID LOT 13 AND EASTERLY RIGHT OF WAY LINE OF 57TH STREET;

THENCE NORTH 89 DEGREES 58 MINUTES 49 SECONDS WEST, 25.00 FEET TO THE CENTERLINE OF 57TH STREET;

THENCE NORTH 00 DEGREES 01 MINUTES 11 SECONDS EAST, 189.61 FEET, TO THE POINT OF BEGINNING.

AREA OF DESCRIBED PARCEL BEING, 60,836.847 SQUARE FEET

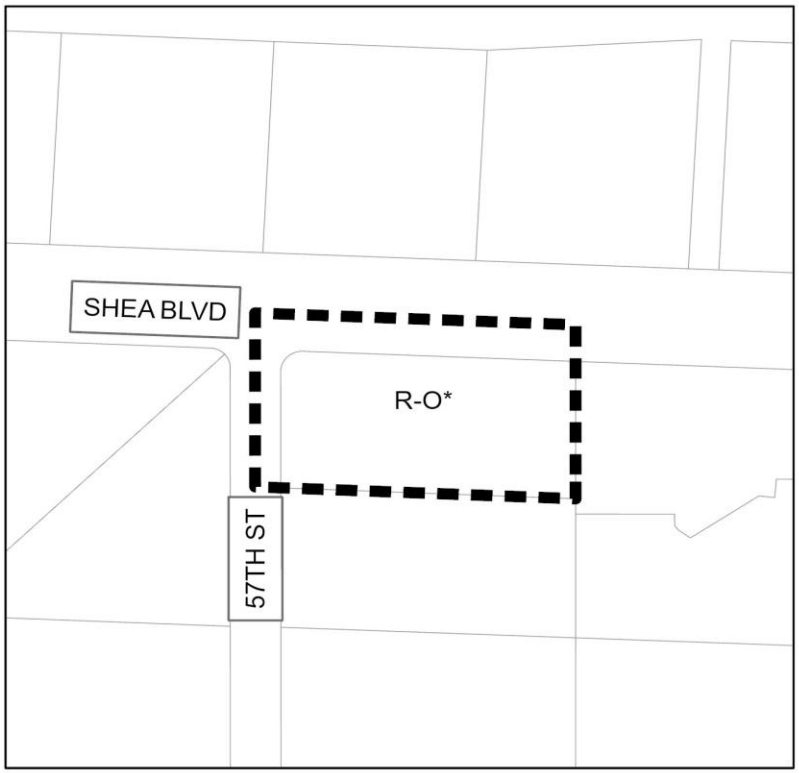
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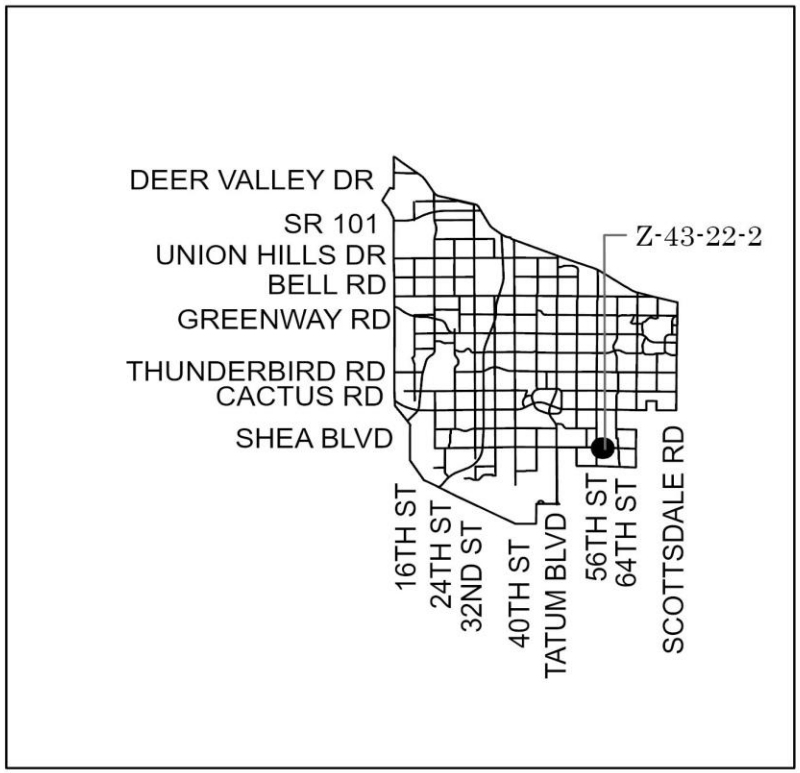
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-43-22-2
Zoning Overlay: N/A
Planning Village: Paradise Valley





NOT TO SCALE

N

Drawn Date: 12/12/2022

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City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-43-22-2
September 12, 2022

Paradise Valley Village Planning Committee Meeting Date:	September 12, 2022
Planning Commission Hearing Date:	October 6, 2022
Request From:	RE-43 (One-Family Residence District) (1.37 acres)
Request To:	R-O (Restricted Commercial District) (1.37 acres)
Proposed Use:	Residential Office
Location:	Southeast corner of 57th Street and Shea Boulevard
Owner:	10441 North 57th Street Holdings
Applicant/Representative:	Jason Morris, Withey Morris, PLC
Staff Recommendation:	Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation		Residential 1 to 2 dwelling units per acre	
Street Map Classification	57th Street	Local	25-feet east half street
	Shea Boulevard	Major Arterial	40-feet south half street

STRENGTHEN OUR LOCAL ECONOMY CORE VALUE; LOCAL & SMALL BUSINESS, LAND USE PRINCIPLE: Facilitate adaptive reuse of older, underutilized properties to create mechanisms for new local and small businesses to operate, thrive and grow.

The residential office use will encourage the growth of a local business that is appropriately located along a major arterial street.

CONNECT PEOPLE AND PLACES CORE VALUES; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.

The proposed development, as stipulated, is respectful of local conditions by including enhanced landscape standards that would be compatible with the surrounding neighborhood.

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 development, as stipulated, provides enhanced levels of trees and shade which will reduce the urban heat island effect while also improving thermal comfort.

Applicable Plans, Overlays, and Initiatives
Tree and Shade Master Plan: Background Item No. 5.
Complete Streets Guidelines: Background Item No. 6.
Comprehensive Bicycle Master Plan: Background Item No. 7.
Zero Waste PHX: Background Item No. 8.

Surrounding Land Uses and Zoning		
	Land Use	**Zoning**
On Site	Vacant	RE-43
North (across Shea Boulevard)	Single-Family Residential	RE-35
South	Single-Family Residential	RE-43
West (across 57th Street)	Single-Family Residential	RE-43
East	Vacant	RE-43

R-O (Residential Office District)		
Standards	**Requirements**	**Proposed**
Minimum Building Setbacks		
Front (west adjacent to 57th Street)	20 feet	20 feet – Met
Side (north adjacent to Shea Boulevard	10 feet	10 feet – Met
Side (south)	10 feet	10 feet – Met
Rear (east)	25 feet	25 feet – Met
Minimum Landscape Setbacks		
Front (west adjacent to 57th Street)	Subject to Site Planning Division approval	20 feet – Met
Side (north adjacent to Shea Boulevard		5 feet – Met
Side (south)		5 feet – Met
Rear (east)		10 feet – Met
Lot Coverage	30%, excluding carports 10%, for carports	30% – Met
Building Height	15 feet, plus 1 foot in height per 1 foot additional setback to a maximum height of 25 feet	23 feet – Met
Parking	1 per 300 square feet net floor area (23 spaces)	26 parking space – Met

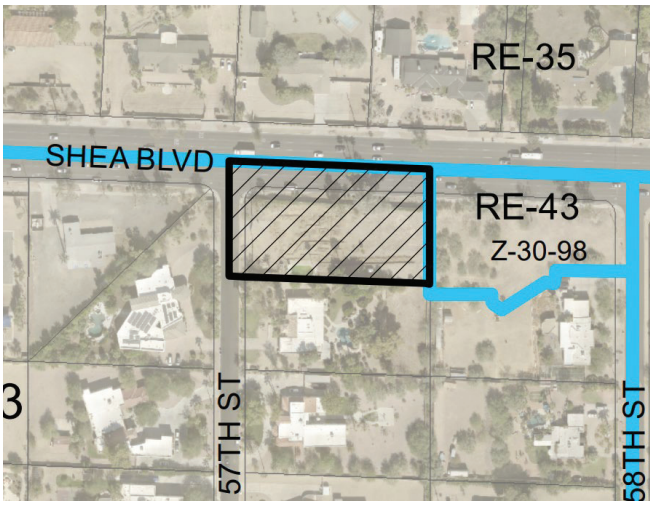
Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone 1.37 acres located at the southeast corner of 57th Street and Shea Boulevard from RE-43 (One-Family Residence District) to R-O (Restricted Commercial District) to allow a residential office.

SURROUNDING LAND USES AND ZONING

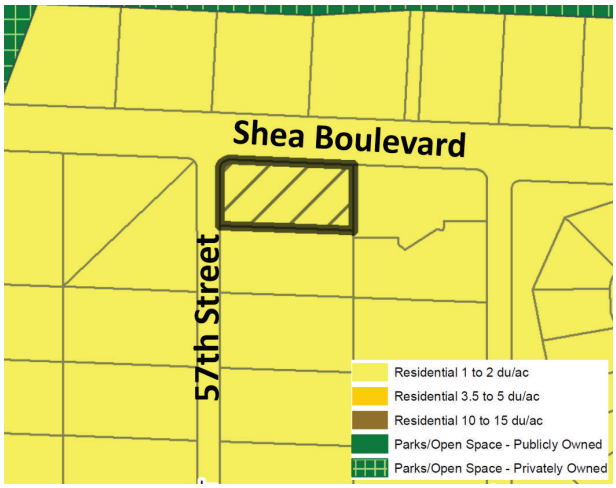
2. The subject site is currently vacant and existing single-family residential developments are located to the west and south, that are zoned RE-43 (One-Family Residence District). North across Shea Boulevard are single-family homes zoned RE-35 (Single-Family Residence District). To the east is a vacant property zoned RE-43 (One-Family Residence District).



Site Aerial
Source: Planning and Development Department

GENERAL PLAN LAND USE MAP DESIGNATION

3. The General Plan Land Use Map designation for the subject site is Residential 1 to 2 dwelling units per acre. The same designation exists on all sides of the site and extends to all four directions. The proposal is not consistent with the Residential 1 to 2 dwelling units per acre designation. However, as the site is under 10 acres, a General Plan Amendment is not required.



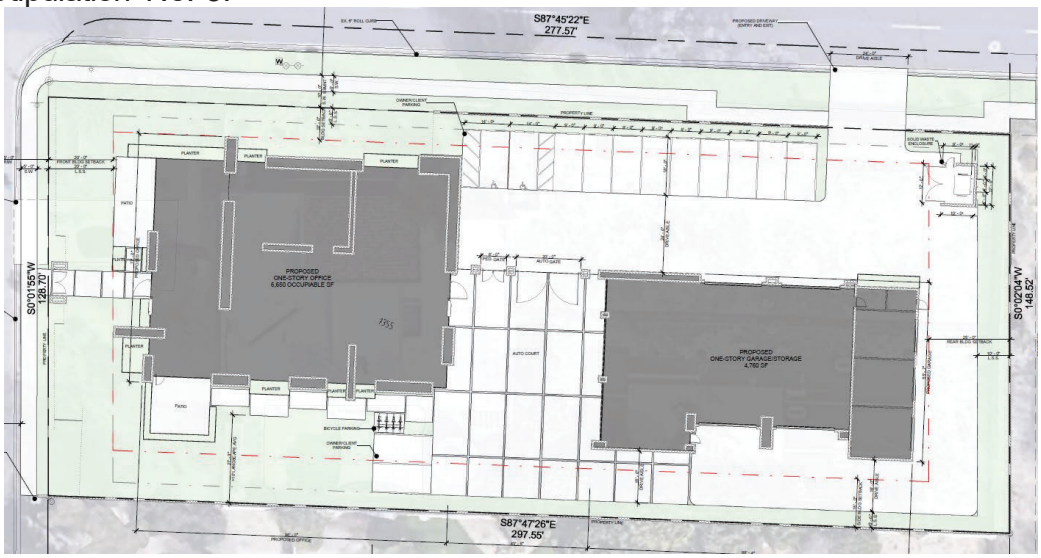
General Plan Land Use Map
Source: Planning and Development Department

PROPOSAL

4. **Site Plan**

The proposed site plan depicts a one-story office building 6,650 square feet in size and 17 feet in height oriented towards 57th Street. A detached garage of 4,760 square feet in size and 23 feet in height is depicted on the southeast

corner of the site. The conceptual site plan indicates vehicular access along Shea Boulevard with parking areas located along the north and central portion of the subject site. Staff is recommending general conformance to the site plan, per Stipulation No. 1, to ensure that the site develops as proposed. Staff is recommending a minimum 15-foot building setback along the south property line as an appropriate buffer to the adjacent residential uses. This is addressed in Stipulation No. 3.



Conceptual Site Plan
Source: Drewett Works Architecture

Elevations

The conceptual building elevations depict various architectural features, colors, and textures. To ensure the building elevations contain the depicted architectural embellishments, staff recommends Stipulation No. 1 which would require general conformance with specific regard to metal fascia, wood finish, stone veneer walls or split face block. Further, Stipulation No. 2 limits the building height to 23 feet to ensure a compatible development with the surrounding residential area.



Conceptual Elevation Renderings
Source: Drewett Works Architecture

STUDIES AND POLICIES

5. **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 as follows:

- A minimum 10-foot landscape setback east of the subject site with minimum two-inch caliper trees (Stipulation No. 4);
- Fifty percent two-inch caliper and 50 percent three-inch caliper trees within the north and south landscape setback (Stipulation Nos. 5 and 6);
- Fifty percent two-inch caliper, 25 percent three-inch caliper trees, and 25 percent four-inch caliper trees within the front yard setback along 57th Street (Stipulation No. 7);
- Detached sidewalks along all streets with minimum two-inch caliper single trunk shade trees and groundcovers with a maximum height of 24 inches (Stipulation No. 8);
- Uncovered surface parking lot areas shall be landscaped with minimum two-inch caliper drought-tolerant shade trees to achieve a minimum of 25 percent shade (Stipulation No. 10).

6. **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. To provide a safe pedestrian environment staff is recommending enhanced pavement treatment for on-site pedestrian walkways that cross vehicular drive aisles. This is addressed in Stipulation No. 9. The development will help enhance the immediate street frontage by replenishing the landscape strip from the back of curb to the sidewalk adjacent to Shea Boulevard. This is addressed in Stipulation No. 8. A dedication is required along Shea Boulevard and any street improvements will be done to City of Phoenix and ADA standards. These are addressed in Stipulations Nos. 12 and 13.

7. **Comprehensive Bicycle Master Plan**

The City of Phoenix adopted the Comprehensive Bicycle Master Plan in 2014 to

guide the development of its Bikeway System and supportive infrastructure. The Comprehensive Bicycle Master Plan supports options for both short- and long-term bicycle parking as a means of promoting bicyclist traffic to a variety of destinations. As stipulated, the project will provide bicycle parking spaces, installed per the requirements in the city's Walkable Urban (WU) Code. This is addressed in Stipulation No. 11.

8. **Zero Waste PHX**
The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero-waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and Section 716 of the Phoenix Zoning Ordinance expand its recycling and other waste diversion programs. The provision of recycling containers was not addressed in the applicant's submittals.

COMMUNITY INPUT SUMMARY

9. As of the writing of this report, staff has received 11 letters of opposition to this rezoning application. The stated concerns are the loss of residential character in the area, the negative effects on property values, and the increase in traffic.

INTERDEPARTMENTAL COMMENTS

10. The Fire Department indicated there are no problems anticipated with the case and that the site and/or buildings shall comply with the International Fire Code with Phoenix Amendments. Further, the Department commented that they do not know the water supply at this site and noted that fire flow requirements may present a challenge for this site.

11. The Street Transportation Department has indicated that the developer will be required to make dedications and that all street improvements shall be provided and meet ADA standards. Furthermore, the Street Transportation Department has indicated that the landscape strip between the back of the curb and sidewalk shall be replenished. These conditions are addressed in Stipulation Nos. 8 and 12 through 13.

OTHER

12. The site has not been identified as being archeologically sensitive. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation No. 14.

13. Staff has not received a completed form for the Waiver of Claims for Diminution in Value of Property under Proposition 207 (A.R.S. 12-1131 et seq.), as required by the rezoning application process. Therefore, a stipulation has been added to

require the form be completed and submitted prior to preliminary site plan approval. This is addressed in Stipulation No. 15.

14. 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 proposal will provide an appropriate transition between a major arterial street and an established single-family neighborhood.

2. The proposal will provide an opportunity for a new small business to locate in the Paradise Valley Village and serve the surrounding neighborhood.

3. The proposal will develop vacant land and as stipulated will incorporate design and landscape features that are compatible with the surrounding land uses.

Stipulations

1. The development shall be in general conformance with the site plan date stamped August 19, 2022 and elevations date stamped August 19, 2022, with specific regard to the inclusion of metal fascia, wood finish, and stone veneer walls or split face block, as modified by the following stipulations and approved by the Planning and Development Department.

2. The maximum building height shall be 23 feet.

3. A minimum building setback of 15 feet shall be provided along the south property line.

4. A minimum 10-foot landscape setback shall be provided along the east property line and planted with minimum 2-inch caliper trees placed 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

5. The south landscape setback shall be planted with minimum 50 percent 2-inch caliper and minimum 50 percent 3-inch caliper large canopy, drought tolerant trees, as approved by the Planning and Development Department.

6. The north landscape setback shall be planted with minimum 50 percent 2-inch caliper and minimum 50 percent 3-inch caliper large canopy, drought tolerant trees, as approved by the Planning and Development Department.

7. The front yard setback along 57th Street shall be planted with minimum 50 percent 2-inch caliper trees, minimum 25 percent 3-inch caliper trees, and minimum 25 percent 4-inch caliper trees to be placed 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

8. The developer shall maintain the exiting detached sidewalk landscape area located between the back of curb and sidewalk along Shea Boulevard and replenish it to the following standards, as approved by the Planning and Development Department.

    a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees to provide a minimum 75% shade.

    b. Drought tolerant shrubs and vegetative groundcovers maintained to a maximum height of 24 inches to provide a minimum of 75% live coverage at maturity.

    Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

9. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast parking and drive aisle surfaces, as approved by the Planning and Development Department.

10. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper size large canopy drought tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25 percent shade at maturity, as approved by Planning and Development Department.

11. A minimum of 4 bicycle parking spaces shall be provided through Inverted U and/or artistic racks dispersed throughout the site and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.

12. The developer shall dedicate minimum 55-feet of right-of-way and a 10-foot-wide sidewalk easement for the south half of Shea Boulevard, as approved by the Planning and Development Department.

13. 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.

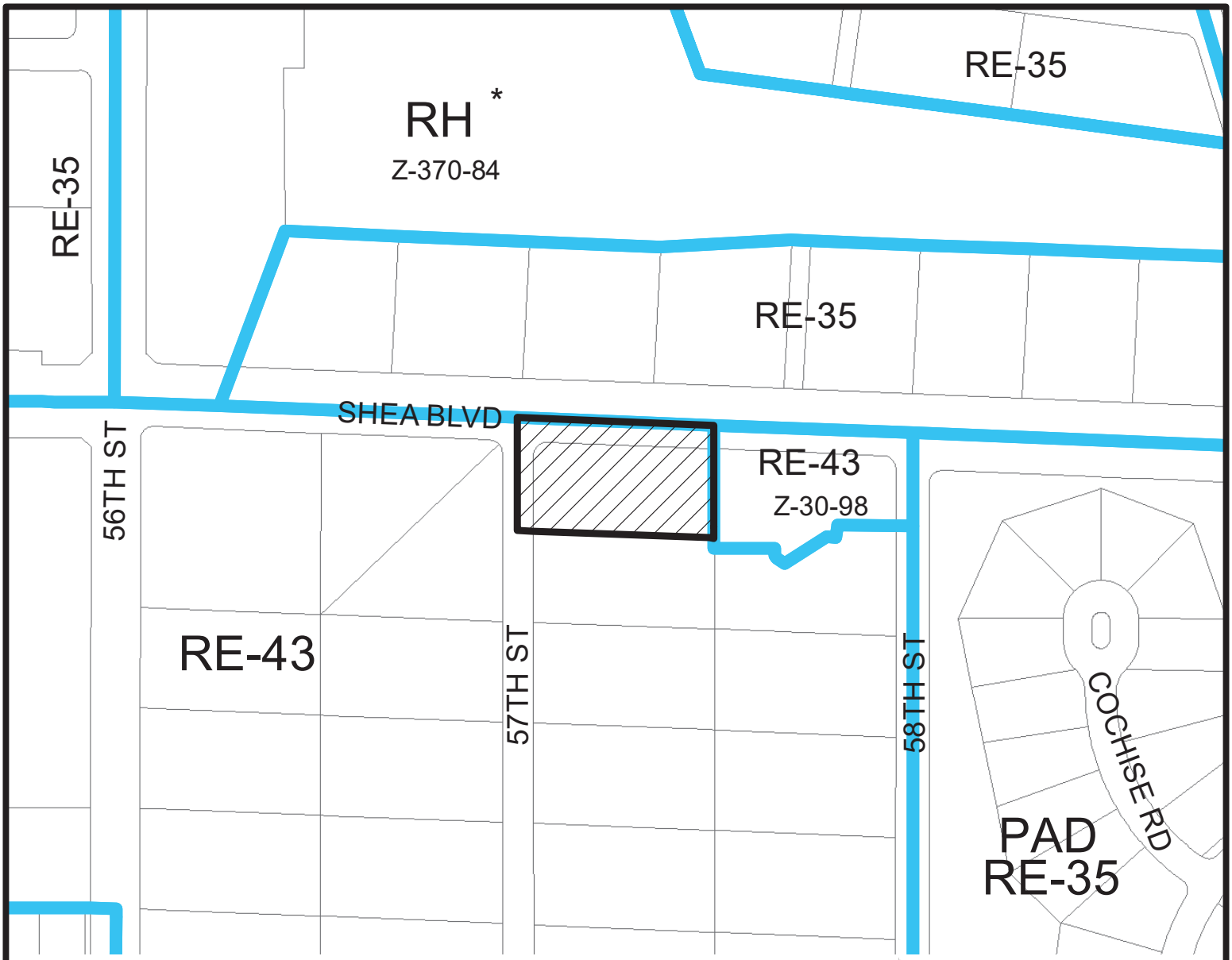
14. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

15. 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.

Writer
Nayeli Sanchez Luna
September 12, 2022

Team Leader
Racelle Escolar

Exhibits
Zoning sketch map
Aerial sketch map
Conceptual Site Plan date stamped August 19, 2022
Conceptual Landscape Plan date stamped August 23, 2022
Conceptual Elevations date stamped August 19, 2022
Conceptual Elevation Renderings date stamped August 23, 2022 (12 pages)
Community Correspondence (11 pages)

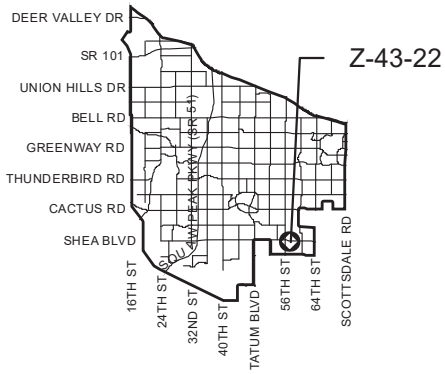


Miles

0.045 0.0225 0 0.045

PARADISE VALLEY VILLAGE

CITY COUNCIL DISTRICT: 2



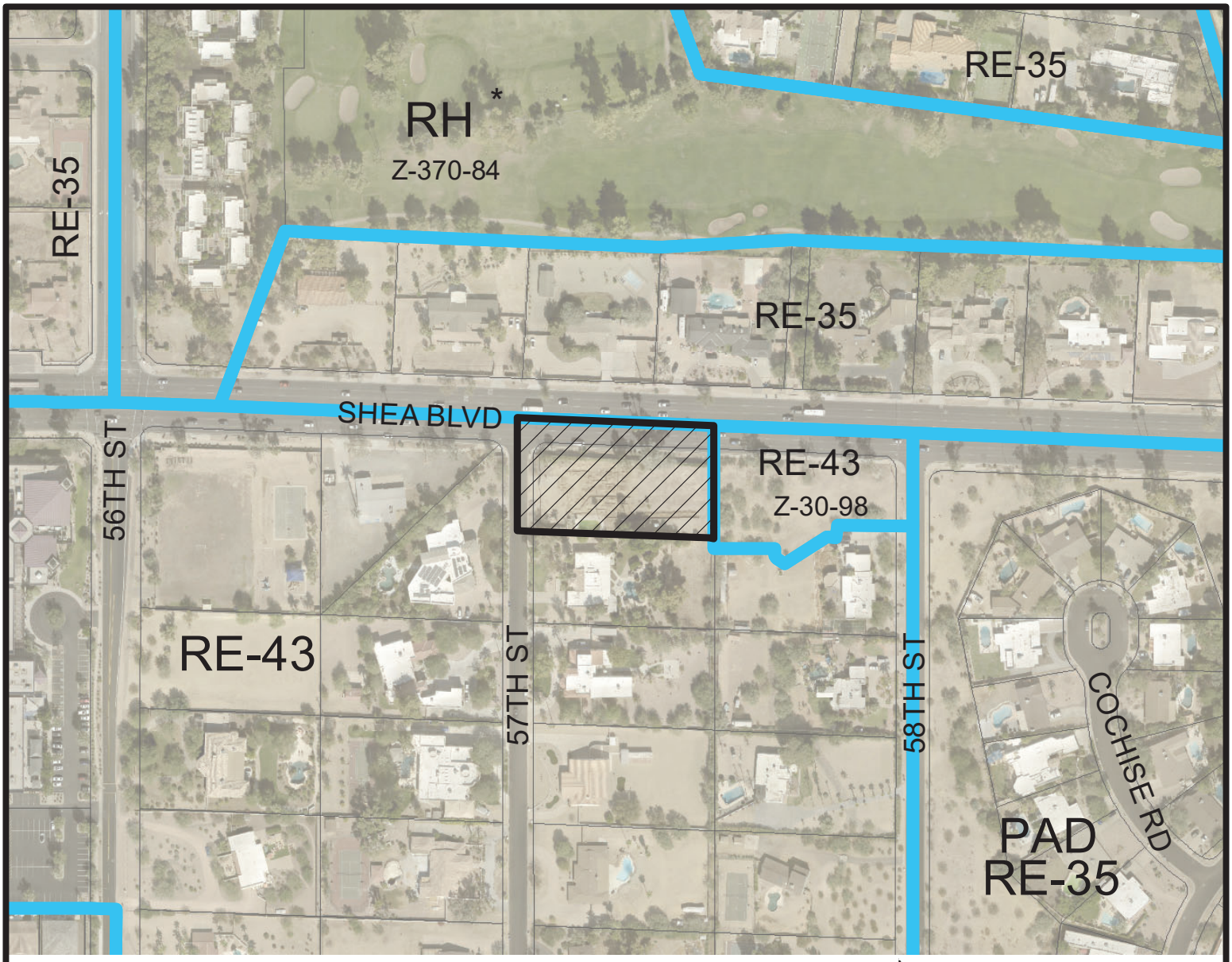
City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME: Jason Morris, Withey Morris PLC	**REQUESTED CHANGE:**
APPLICATION NO. Z-43-22	DATE: 5/27/2022 REVISION DATES:
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 1.37 Acres	AERIAL PHOTO & QUARTER SEC. NO. QS 28-41 / ZONING MAP K-11
	FROM: RE-43 (1.37 a.c.)
	TO: R-O (1.37 a.c.)

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
RE-43	1	N/A
R-O	1	N/A

* **Maximum Units Allowed with P.R.D. Bonus**

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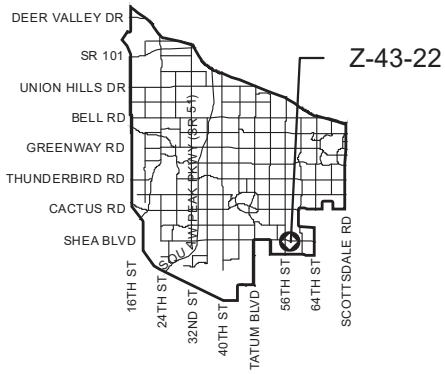


Miles

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PARADISE VALLEY VILLAGE

CITY COUNCIL DISTRICT: 2



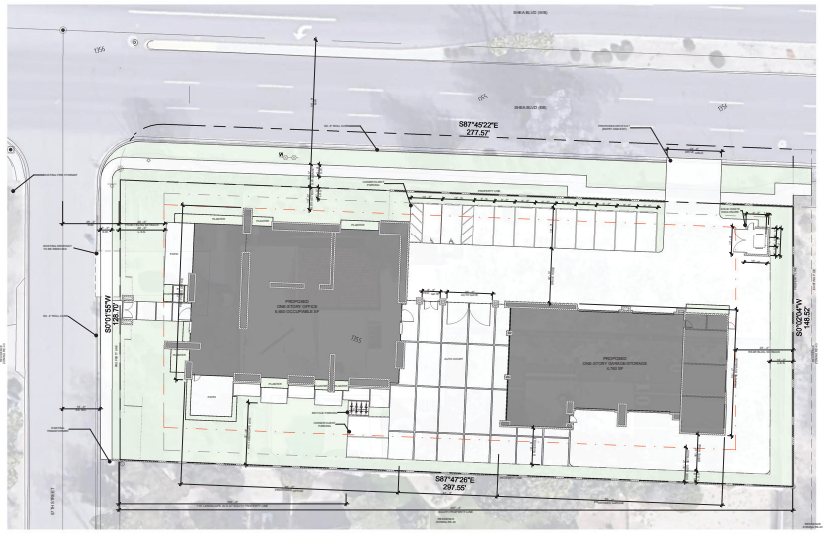
City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME: Jason Morris, Withey Morris PLC	**REQUESTED CHANGE:** FROM: RE-43 (1.37 a.c.)
APPLICATION NO. Z-43-22	DATE: 5/27/2022 REVISION DATES:
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	TO: R-O (1.37 a.c.)

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
RE-43	1	N/A
R-O	1	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\2022\Z-43-22.mxd



PRELIMINARY SITE PLAN

1" = 20'-0"

CITY OF PHOENIX
AUG 19 2022
Planning & Development Department

LOT SALES

PER C.O.P - THERE ARE NO LOT SALES AT THIS SITE

C.O.P. PROJECT IDENTIFICATION NO.

KIVA PROJECT #:	21-5810
SDEV#:	2100581
PAPP#:	2110239
LSPL [FORTHCOMING] Q-S:	28-41

DREWETT WORKS // ARCHITECTURE
7144 E. STETSON DR., SUITE 204
SCOTTSDALE, AZ 85251
P 855-373-9388 // F 855-373-9388
PLANS@DREWETTWORKS.COM

OWNER

10441 N 57TH ST HOLDINGS LLC
4408 N 12TH ST, SUITE 200
PHOENIX, AZ USA 85014

DESIGN

DREWETT WORKS
7144 E STETSON DR. SUITE 204
SCOTTSDALE, AZ 85251
PPHONE: (855) 373-9388

PROJECT NARRATIVE

PROPOSED PROJECT CONSISTS OF 1 STORY OFFICE BUILDING, V-B CONSTRUCTION TYPE. THE INTENT IS TO PROVIDE A HIGH-END OFFICE AND GARAGE/SHOWROOM WITH LUXURY SPACES AND MATERIALS

ZONING INFORMATION

CURRENT ZONING: RE-43

PROPOSED ZONING: R-O

PARKING CALCULATION

REQUIRED TOTAL PARKING: 22
REQUIRED ADA: 1

PROPOSED TOTAL PARKING: 26
PROPOSED ADA: 2

BIKE PARKING: 4

LOT COVERAGE

MAXIMUM LOT COVERAGE: 30%

PROPOSED LOT COVERAGE: 30%

VICINITY MAP



APN

169-04-008A

LEGAL ADDRESS

10441 N 57TH ST
PARADISE VALLEY, AZ
85253

NET SITE AREA

43,291 SF

10441 N 57TH ST
PARADISE VALLEY, AZ
85253

FOR REZONING
DATE 06-19-2022
REV

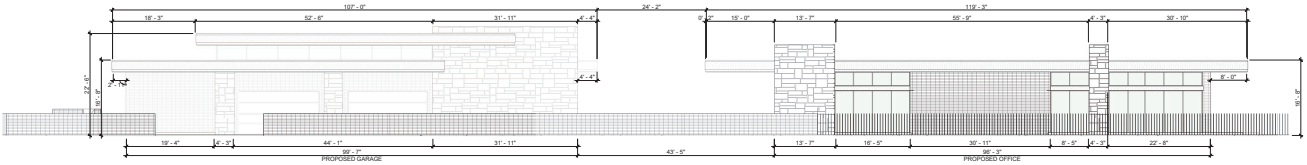
REGAL AMERICAN OFFICE

PRELIMINARY SITE PLAN

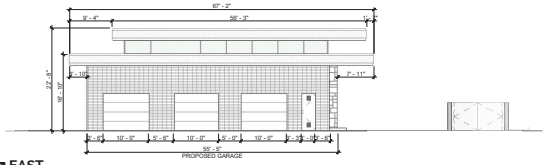
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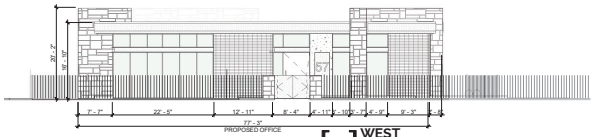
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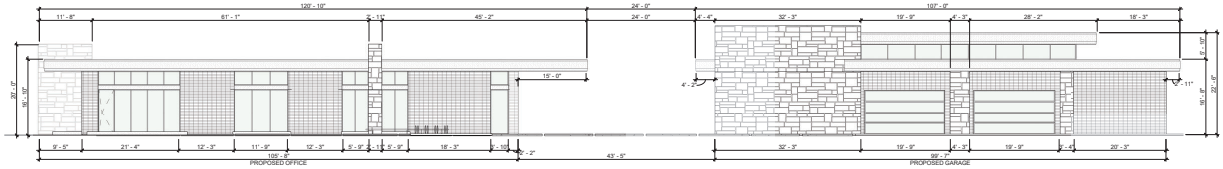
[1] NORTH
1" = 10'-0"



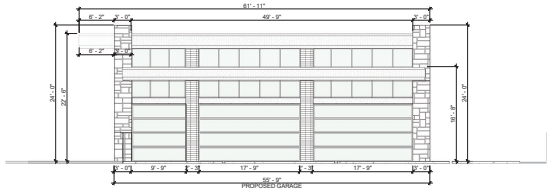
[3] EAST
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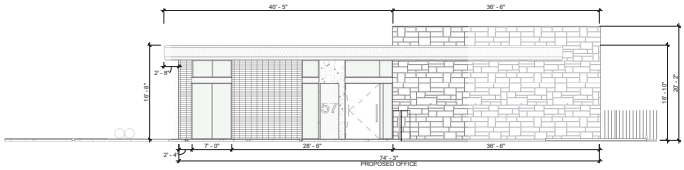
[2] WEST
1" = 10'-0"



[4] SOUTH
1" = 10'-0"



[5] WEST COURTYARD
1/8" = 1'-0"



[6] EAST COURTYARD
1/8" = 1'-0"

CITY OF PHOENIX
AUG 19 2022
Planning & Development Department

C.O.P. PROJECT IDENTIFICATION NO.

KIVA PROJECT #	21-5810
SDEV#:	2100581
PAPP#:	2110239
LSPL [FORTHCOMING] Q-S:	28-41

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DESIGN
DREWETT WORKS
7144 E STETSON DR, SUITE 204
SCOTTSDALE, AZ 85251
PPHONE: (855) 373-9388

MATERIAL LEGEND
- BLOCK - STACK BOND
- METAL FASCIA / ROLLED STEEL
- WOOD FINISH, TBD
- GLASS
- STONE VENEER OR SPLIT FACE BLOCK

APN
169-04-008A

LEGAL ADDRESS
10441 N 57TH ST
PARADISE VALLEY, AZ
85253

NET SITE AREA
43,291 SF

FOR REZONING
DATE 06-19-2022
REV

10441 N 57TH ST
PARADISE VALLEY, AZ
85253

REGAL AMERICAN OFFICE

ELEVATIONS

NOT FOR CONSTRUCTION

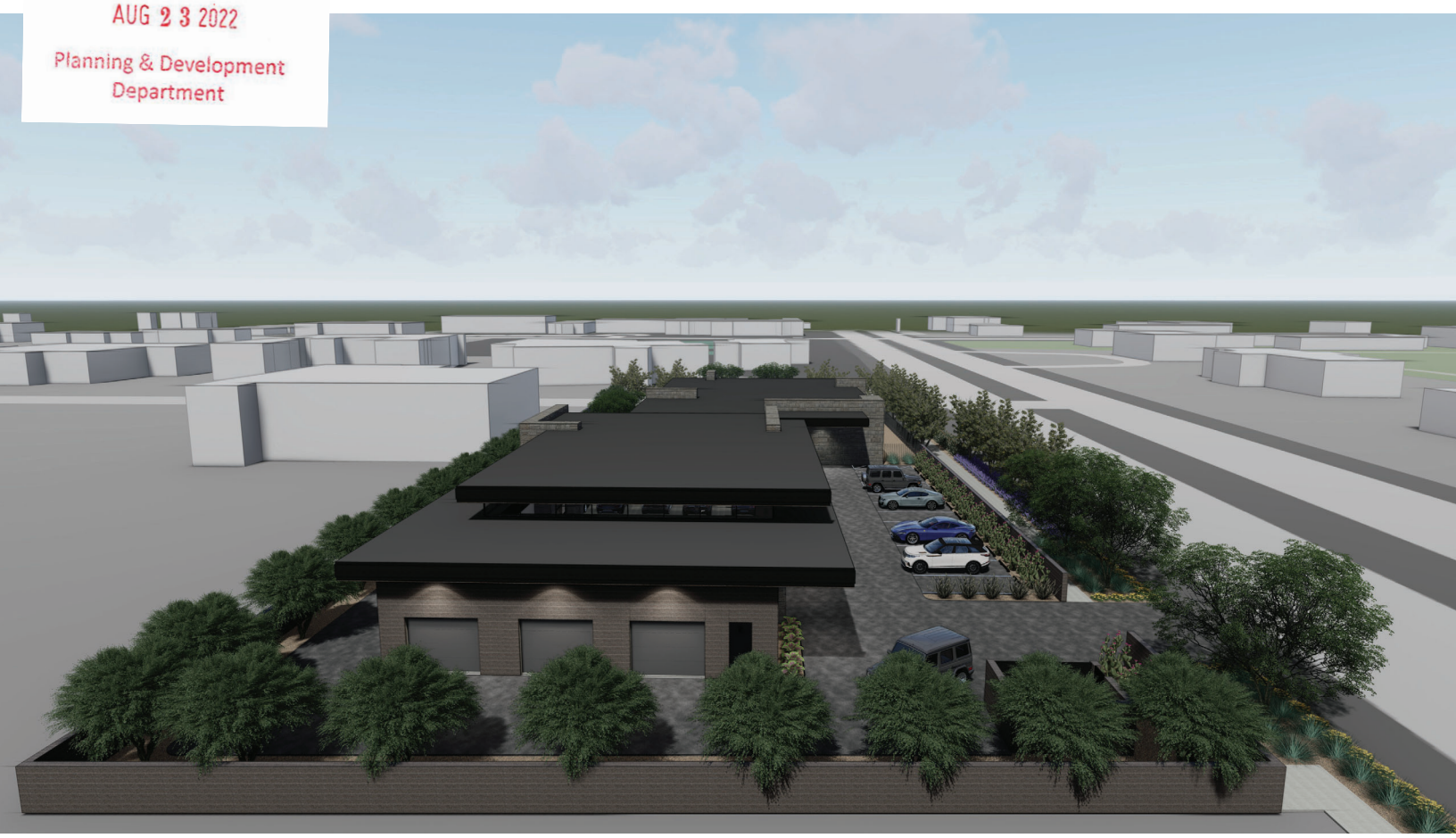
DR501

22-18

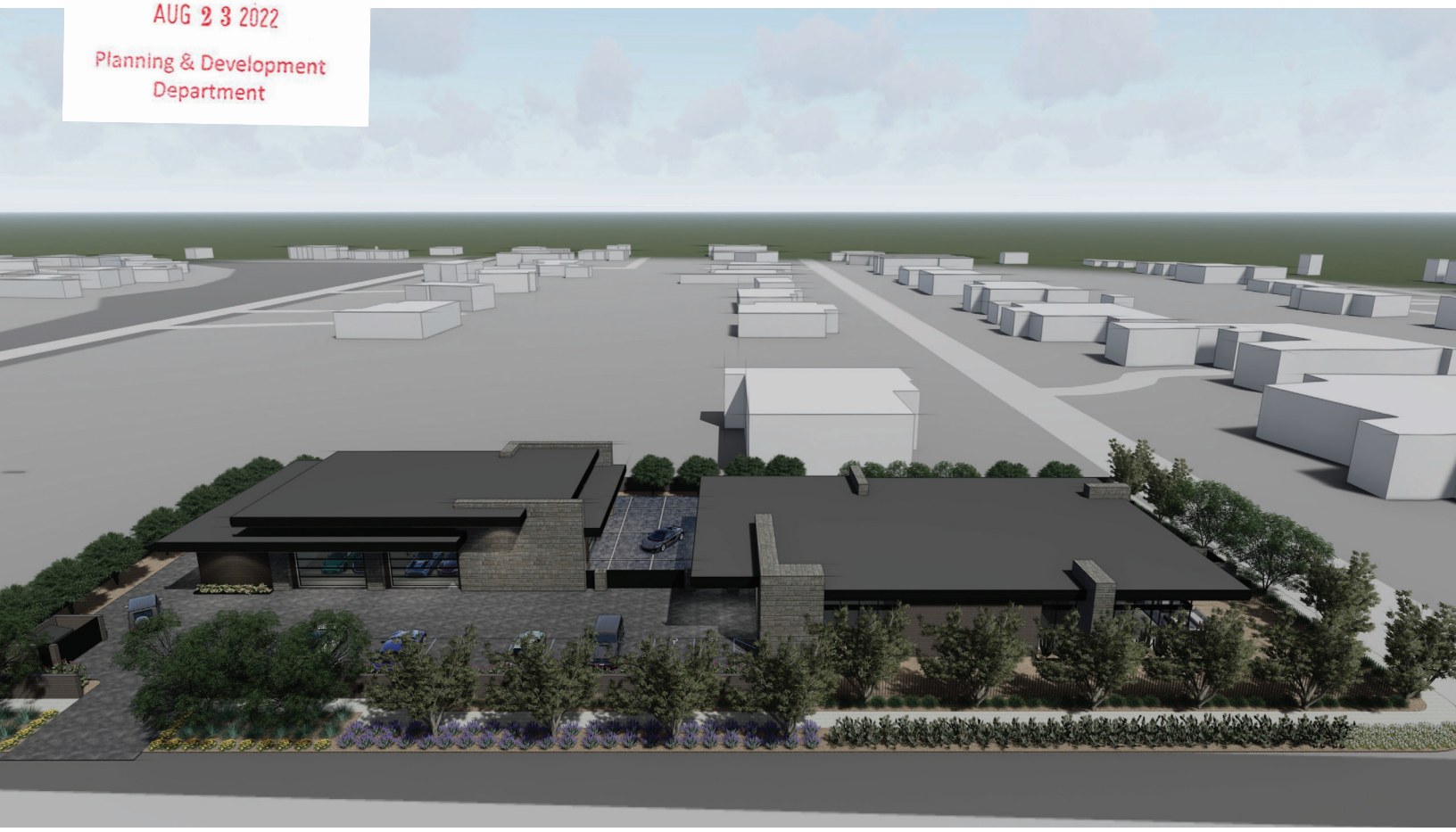


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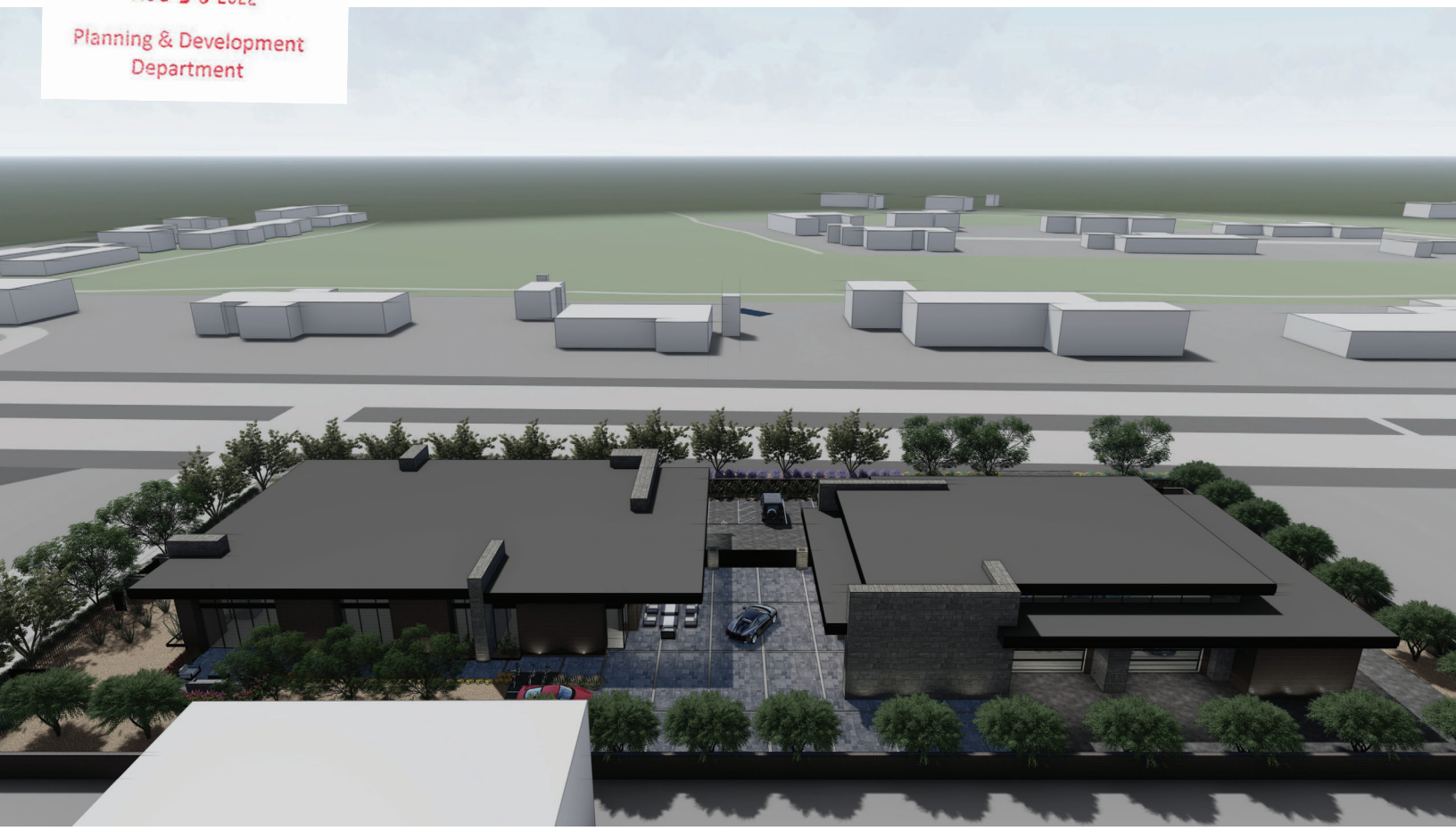
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Planning & Development
Department



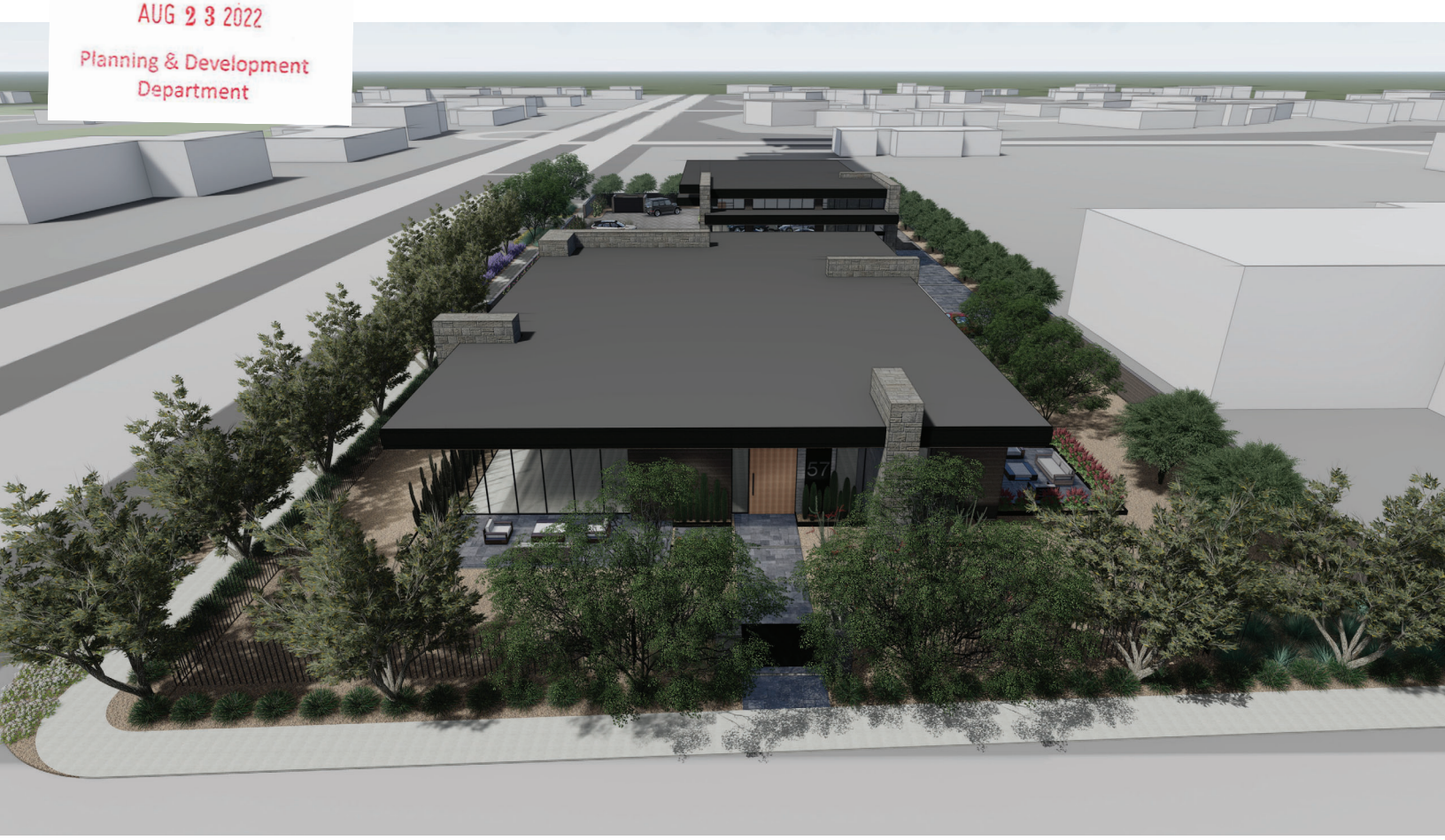
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AUG 23 2022
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Department



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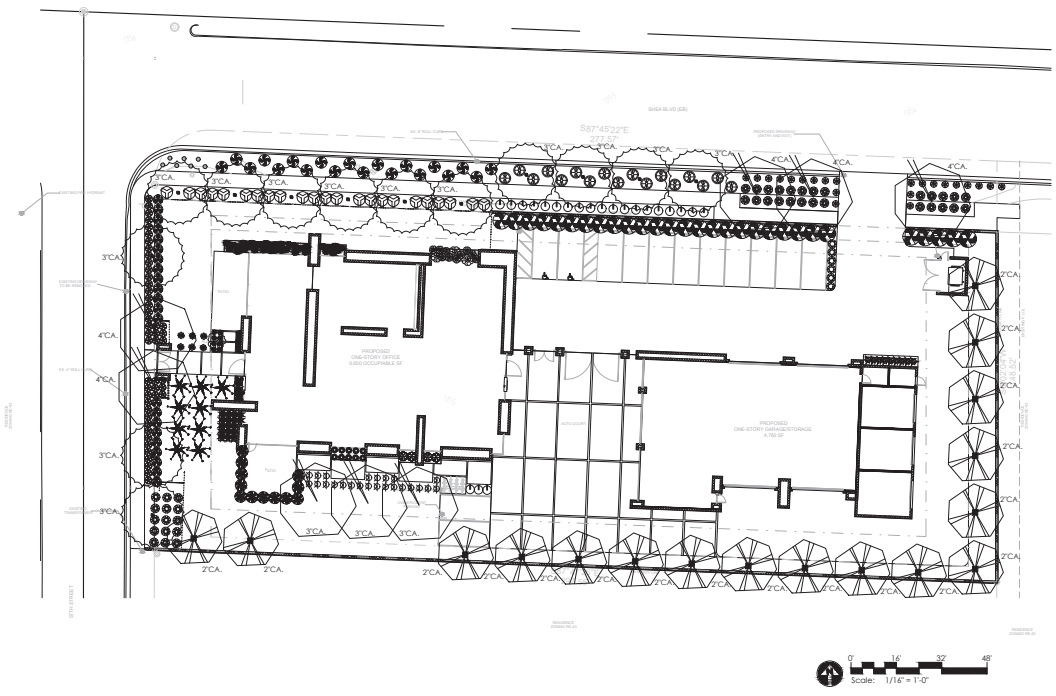


CITY OF PHOENIX
AUG 23 2022
Planning & Development
Department

CITY OF PHOENIX

AUG 23 2022

Planning & Development Department



0' 16' 32' 48'

Scale: 1/16" = 1'-0"

PLANT MATERIALS LEGEND

Sym.	Plant Name	Size	Qty	Caliper
Trees				
	Acacia aneura Mulga Acacia	36" box	11	3"min.
	Olneya tesota Ironwood	60" box	10	4"min.
	Parkinsonia praecox Palo Brea	36" box	17	2"min.
Shrubs				
	Eriogonum fasciculatum Flat Top Buckwheat	5 gal.	23	-
Groundcovers				
	Chrysactinia mexicana Damianita	5 gal.	24	-
	Dalea greggii Trailing Indigo Bush	5 gal.	17	-
	Hymenoxys acaulis Angelita Daisy	1 gal.	22	-
	Melampodium leucanthum Blackfoot Daisy	1 gal.	7	-
Accents Cactus				
	Agave ovatifolia Whale's Tongue Agave	15 gal.	6	matched
	Alluaudia procera Madagascar Ocotillo	5 gal.	17	-
	Aloe barbadensis Medicinal Aloe	5 gal.	48	-
	Aloe ferox Cape Aloe	5 gal.	26	matched
	Aloe 'Rooikappie' Little Red Riding Hood Aloe	5 gal.	10	-
	Asclepias subulata Desert Milkweed	5 gal.	22	-
	Bouteloua gracilis 'Blonde Ambition' Blonde Ambition Blue Grama	5 gal.	15	-
	Euphorbia antisyphilitica Candelilla	5 gal.	6	-
	Ferocactus gracilis Fire Barrel Cactus	bare root	8	-
	Fouquieria splendens Ocotillo	(L) bare root	9	matched
	Hesperaloe parviflora-yellow Yellow Hesperaloe	5 gal.	20	-
	Kalanchoe beharensis 'Blue Slick'	(3) @ 5 gal. (10) @ 15 gal.	13	-
	Opuntia basilaris 'Baby Rita' Baby Rita Prickly Pear	5 gal.	4	-
	Opuntia ficus-indica Indian Fig	15 gal.	22	-
	Opuntia gomei 'Old Mexico' Old Mexico Prickly pear	15 gal. (4) @ 4' (8) @ 3' (8) @ 2' (12) @ 1'	29	-
	Pachycereus schottii f. monstrosus Totem Pole Cactus	5 gal.	27	single arms
	Pedilanthus macrocarpus Lady's Slipper	5 gal.	12	-
	Euphorbia ingens 'Chocolate Drops' Chocolate Drop Euphorbia	15 gal.	9	-
	Trichocereus grandiflorus Torch Cactus	5 gal.	34	-
	Yucca brevifolia Joshua Tree	24" box	1	multi-head

INERTS

Sym.	Description
	3" MINUS CRUSHED ROCK. ROCK PROS: MAHOGANY COLOR.

NOTES:

1. ALL PLANTS SHALL BE WATERED WITH AUTOMATIC DRIP IRRIGATION SYSTEM.
2. ALL LANDSCAPE AREAS EXCLUDING TURF TO BE COVERED WITH CRUSHED ROCK.
3. LANDSCAPE ARCHITECT TO APPROVE FINAL GRADING. PLANTING SHALL NOT OCCUR UNTIL FINAL GRADING IS APPROVED.
4. LOCATIONS OF PLANTS SHOWN ON DRAWING ARE APPROXIMATE. LANDSCAPE ARCHITECT TO FIELD APPROVE ALL FINAL LOCATIONS PRIOR TO INSTALLATION.
5. DUE TO SEASONAL AND OR UNFORESEEN CONSTRAINTS SOME PLANT MATERIAL WILL POSSIBLY NOT BE AVAILABLE AT TIME OF INSTALLATION. LANDSCAPE CONTRACTOR TO SUBMIT LIST OF ANY NON-AVAILABLE MATERIAL TO LANDSCAPE ARCHITECT FOR REPLACEMENTS TO BE SELECTED.
6. PLANT MATERIAL SHALL BE ADJUSTED IN FIELD TO AVOID TREE ROOT BALLS.
7. ALL PLANT MATERIAL IS TO BE RETAIL QUALITY.
8. LANDSCAPE CONTRACTOR TO PROVIDE PICTURES OR SAMPLES OF ALL PLANT MATERIAL PRIOR TO INSTALLATION FOR APPROVAL.
9. ALL PLANT MATERIAL SOURCED FROM OUTSIDE OF ARIZONA TO BE PROPERLY ACCLIMATED TO ARIZONA CLIMATE DEPENDING ON TIME OF YEAR OF INSTALLATION.
   METHODS: SUN-SCREEN CLOTH/FABRIC TO BE INSTALLED ABOVE PLANT MATERIAL.

GREEY|PICKETT
landscape architecture | community design
8655 E. VIA DE VENTURA, SUITE F-215
SCOTTSDALE, ARIZONA 85258
PHONE 480.391.0940 FAX 480.391.0941

NOT FOR CONSTRUCTION

REGAL AMERICAN OFFICE

10441 N 57TH ST
PARADISE VALLEY, AZ 85253

revisions:

project #: DWA061
scale: 1/16" = 1'-0"
issued for:
drawn by: TEAM
date: 08/17/2022

drawing: Landscape Plan

L3.1

of

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From: PDD Long Range Planning
To: Nayeli Sanchez Luna
Subject: FW: Rezoning case no Z-43-22-2
Date: Thursday, September 8, 2022 6:30:58 PM
Attachments: image001.png

From: Jason <jason@max-coal.com>
Sent: Thursday, September 8, 2022 1:25 PM
To: PDD Long Range Planning <pdd.longrange@phoenix.gov>
Subject: Rezoning case no Z-43-22-2

Dear Planning Department,

I am a resident of 57th Street, I strongly object to the change of any zoning regulations which allow commercial development.

Simply put, this is a neighborhood and there are plenty of available commercial parcels and areas for developments of this nature.

At the same time, I understand rhar similar request was made for 58th Street and Shea several years ago that was also turned down by thr planning department. Which makes sense because this is a quiet residential community.

I appreciate your attention to this matter and I am available for any further discussion. Please feel free to contact me anytime.

Thanks

Tara and Jason Bleyens
10202 N 57th Street

Get Outlook for Android [aka.ms]

From: PDD Long Range Planning
To: Nayeli Sanchez Luna
Subject: FW: ReZoning Case No: Z-43-22-2
Date: Friday, September 9, 2022 7:19:52 AM

Thank you,
Geno Koman
Secretary II
City of Phoenix Planning and Development Department
200 West Washington Street, 3rd Floor
Phoenix, Arizona 85003
Phone: 602-495-2076
geno.koman@phoenix.gov

-----Original Message-----
From: Rebecca Gerber <rebeccagerber@me.com>
Sent: Thursday, September 8, 2022 3:35 PM
To: PDD Long Range Planning <pdd.longrange@phoenix.gov>
Subject: ReZoning Case No: Z-43-22-2

I am in opposition of the proposed rezoning at 57th Street and Shea.

Please do not approve this permit

Rebecca Gerber
5855 E Donna Lane
Paradise Valley, AZ 85253

Sent from my iPhone

From:	PDD Long Range Planning
To:	Nayeli Sanchez Luna
Subject:	FW: Rezoning case no Z-43-22-2
Date:	Friday, September 9, 2022 7:20:01 AM

Thank you,

Geno Koman
Secretary II
City of Phoenix Planning and Development Department
200 West Washington Street, 3rd Floor
Phoenix, Arizona 85003
Phone: 602-495-2076
geno.koman@phoenix.gov

From: Guy Labelle <guylabelle@cox.net>
Sent: Thursday, September 8, 2022 4:06 PM
To: PDD Long Range Planning <pdd.longrange@phoenix.gov>
Subject: Rezoning case no Z-43-22-2

Dear Planning commission,.

“I believe that allowing this rezoning will have a domino effect with additional rezonings and will reduce the value of our neighborhood.”

"As a resident living in the neighborhoods immediately behind the subject parcel, we strongly object to the change of any zoning regulations which might allow commercial offices to exist in our area."

“I appreciate our neighborhood and the special qualities it possesses, and am grateful for your attention to this matter because this rezoning could change our neighborhood in a negative way.”
Thank you for your consideration in this matter

Guy Labelle

From:	PDD Long Range Planning
To:	Nayeli Sanchez Luna
Subject:	FW: Rezoning Case No: Z-43-22-2
Date:	Friday, September 9, 2022 7:20:35 AM

From: Mindy Long <mindy@mindylong.com>
Sent: Thursday, September 8, 2022 4:44 PM
To: PDD Long Range Planning <pdd.longrange@phoenix.gov>
Subject: Rezoning Case No: Z-43-22-2

To whom it may concern,

As a resident living on 57th Street just houses away from the subject parcel, I am strongly opposed to changing any zoning regulations that would allow a commercial enterprise to exist in our area. This is a residential community and I want it to remain so. We love this neighborhood and are happy to be raising our children here. We want it to maintain a neighborhood feel. It was zone residential when we purchased our home, and it should remain so.

A similar request was made for a lot at 58th and Shea several years ago and was turned down by the planning department.

Please reject this proposal and help us maintain our neighborhood's qualities.

I appreciate your attention and support in this matter.

Thank you,
Mindy Long
10203 N. 57th St.
Paradise Valley, AZ 85253

--
Mindy Long
Mindy Long Freelance LLC
Cell: 703-220-2672
Office 480-306-7177
mindy@mindylong.com

From: PDD Long Range Planning
To: Nayeli Sanchez Luna
Subject: FW: Rezoning Case No: Z-43-22-2
Date: Friday, September 9, 2022 7:19:41 AM

From: Bryan Long <bryanblong@gmail.com>
Sent: Thursday, September 8, 2022 9:54 PM
To: PDD Long Range Planning <pdd.longrange@phoenix.gov>
Subject: Rezoning Case No: Z-43-22-2

Greetings,

As a resident of 57th Street near Shea Blvd I strongly oppose the proposal to change zoning regulations that would allow a commercial enterprise to exist in our area. This is a residential community and we want it to remain so. There is already a serious traffic and parking problem in our neighborhood and adding commercial enterprise will only exacerbate the problem.

There is a precedent in place denying such rezoning proposals - a similar request was made for a lot at 58th and Shea previously and was turned down by the planning department.

We ask you to deny any request to rezone this property.

Thank you for your support.

Sincerely yours,
Bryan Long
10203 N. 57th Street (F.K.A. 5710 E. Gold Dust Ave)
Paradise Valley, AZ 85253

Sent from my mobile device. Please excuse brevity and typos.

From:	PDD Long Range Planning
To:	Nayeli Sanchez Luna
Subject:	FW: Public comment on 57th and Shea
Date:	Friday, September 9, 2022 7:22:32 AM

From: Andrew Dunn <andrewdunn.mn@gmail.com>
Sent: Thursday, September 8, 2022 7:03 PM
To: PDD Long Range Planning <pdd.longrange@phoenix.gov>
Subject: Public comment on 57th and Shea

Good evening,

I am commenting on Item 4 (case Z-43-22-2). My wife and I own a home at 10202 N 58th St and we are opposed to the rezoning of this property. There are concerns around property values, traffic and possibly noise issues for our neighborhood. Quite frankly this is a horrible spot to put a business. I can't imagine if I lived directly next to that property. This neighborhood was never and should never be considered for anything other than residential zoning. It's an obvious money grab by a developer that wants to maximize their investment. I can't blame them, but their desire to make money off the backs of neighbors that may suffer a depreciated asset value should not happen.

If you require more information please let me know. Thanks

Andrew Dunn
612-741-6000

From:	PDD Long Range Planning
To:	Nayeli Sanchez Luna
Subject:	FW: 57th & Shea Rezoning
Date:	Friday, September 9, 2022 7:31:40 AM

Thank you,

Geno Koman
Secretary II
City of Phoenix Planning and Development Department
200 West Washington Street, 3rd Floor
Phoenix, Arizona 85003
Phone: 602-495-2076
geno.koman@phoenix.gov

From: John <jcnjr117@gmail.com>
Sent: Friday, September 9, 2022 7:31 AM
To: PDD Long Range Planning <pdd.longrange@phoenix.gov>
Subject: 57th & Shea Rezoning

To whom it may concern,

"I believe that allowing this rezoning will have a domino effect with additional rezonings and will reduce the value of our neighborhood."

"As a resident living in the neighborhoods immediately behind the subject parcel, we strongly object to the change of any zoning regulations which might allow commercial offices to exist in our area."

"I appreciate our neighborhood and the special qualities it possesses, and am grateful for your attention to this matter because this rezoning could change our neighborhood in a negative way."

Thank you for your consideration in this matter

John Noto
5802 E Donna Ln
Paradise Valley, AZ 85253

From: PDD Long Range Planning
To: Nayeli Sanchez Luna
Subject: FW: Rezoning Case No: Z-43-22-2
Date: Friday, September 9, 2022 7:39:13 AM

From: Amy Tyre <actyre@gmail.com> **On Behalf Of** Amy Cerier Tyre
Sent: Friday, September 9, 2022 7:39 AM
To: PDD Long Range Planning <pdd.longrange@phoenix.gov>
Subject: RE: Rezoning Case No: Z-43-22-2

Reference: Rezoning Case No: Z-43-22-2

I am a resident of the neighborhood. I live at 6046 E Cochise Rd, Scottsdale, AZ 85253

I strongly object to the change of zoning which might allow commercial offices in our area. I very much appreciate our neighborhood and the special qualities it possesses. I am grateful for your attention to this matter as rezoning would change our neighborhood in a negative way.

Thank you in advance for your care and attention in this matter,

602-295-7385

Amy Tyre

Master Life coach and Master Yoga Teacher

Yoga-For-Joy.com [yoga-for-joy.com]

atyre@cox.net

P.S. Do you suffer from chronic digestive issues including IBS, Colitis, Ulcerative Colitis, or Crohn's? I healed my symptoms of Ulcerative Colitis and think what I learned can help others too. The Digestion Coach Pilot Course round 2 is in the works. Be in touch if you'd like to know more.

[facebook.com] [linkedin.com]

From: PDD Long Range Planning
To: Nayeli Sanchez Luna
Cc: Geno Koman
Subject: FW: Rezoning Case No: ZA-43-22-2 Neighborhood Comments
Date: Friday, September 9, 2022 4:57:47 PM

-----Original Message-----
From: Adam Wallace <adamwallace98@icloud.com>
Sent: Friday, September 9, 2022 4:54 PM
To: PDD Long Range Planning <pdd.longrange@phoenix.gov>
Subject: Rezoning Case No: ZA-43-22-2 Neighborhood Comments

To Whom this may concern regarding ZA-43-22-2,

I live just one block east of the proposed rezoning at 10441 N. 57th Street (APN 168-04-008A) and would like to voice opposition to the PV Village Planning Committee about plans to rezone this RE-43 parcel to an R-O zoned lot that would welcome office usage.

Like virtually all of the neighbors I have met since moving here, we chose to purchase a home in this neighborhood to enjoy the serene, low-traffic, and non-commercial atmosphere that Paradise Valley has to offer. As someone with both an educational and professional background in urban planning and real estate development, I understand the developer's desire to place a future office space at this property given the many positive attributes this location has to offer. However, such a development would cause negative impacts for my neighborhood; including lowered property values, higher rates of moving traffic through our residential streets with less room to maneuver due to office workers and guests parking along 57th and 58th Streets, and the invitation to individuals from other areas to loiter around our currently safe streets that could potentially cause heightened safety and security risks for not only our residents but to those of all ages who attend the New Church of Phoenix, Congregation Beth Israel Synagogue (which also has a preschool), and Scottsdale Country Day School.

While "residential" may be used in the wording of this zoning type, I do not believe office space of any kind is formidable for this exact neighborhood due to how this part of Paradise Valley Village is planned. Should this be approved, more property owners with parcels fronting Shea Blvd. will attempt to rezone their properties the same way which will create even more traffic along Shea Blvd, 57th and 58th Streets, and from that point who is to say the R-O zoning will not be rezoned to C-2 or C-3 leading to greater commercial intensification in this calm residential area?

In summary, I object to the proposed rezoning and development that could follow for this property and stress the importance of keeping Paradise Valley (both the town itself and village within Phoenix) a highly desirable and coveted place that is free from traffic, unwanted visitors, crime, and safety concerns. I am sure there are other parcels further west and/or north that could accomplish the same goals this developer seeks to achieve that would receive less neighborhood opposition making it an easier approval for both the developer, planning and development department, and village planning committee to plan and approve than this location with heavy neighborhood pushback. I hope the planning committee is able to work in the best interests of the community on this zoning case.

Thank you for your consideration,

Adam Wallace

From: PDD Long Range Planning
To: Nayeli Sanchez Luna
Cc: Geno Koman
Subject: FW: 57th Street Zoning Case No. Z-43-22-2
Date: Friday, September 9, 2022 4:43:54 PM

-----Original Message-----
From: Cox Shared Email <p17935@cox.net>
Sent: Friday, September 9, 2022 4:42 PM
To: PDD Long Range Planning <pdd.longrange@phoenix.gov>
Subject: 57th Street Zoning Case No. Z-43-22-2

Dear Phoenix City Government,

As residents of 57th street and Shea we are communicating regarding rezoning case Z-43-22-2. We strongly object to this plan. Any attempts to create a commercial zoning parcel in this neighborhood would be a tragedy. This is a residential neighborhood and has been that way for decades. There is no need to damage such a beautiful and cohesive community with this action, it is unnecessary and contrary to the residential character we have built. A similar request on 58th and shea was rejected several years ago, and it is our hope that the city would remain consistent in its approach to preserve cohesive residential communities. We appreciate your time and attention to this matter, and we have confidence you will make decisions that defend our residential communities.

Best wishes

David and Melissa Rosenfeld
9459 N 57th St
Paradise Valley, AZ 85253

From: PDD Long Range Planning
To: Nayeli Sanchez Luna
Subject: FW: Rezoning case no: Z-43-22-2 disapproval
Date: Friday, September 9, 2022 6:50:21 PM

Thank you,
Geno Koman
Secretary II
City of Phoenix Planning and Development Department
200 West Washington Street, 3rd Floor
Phoenix, Arizona 85003
Phone: 602-495-2076
geno.koman@phoenix.gov

-----Original Message-----
From: Lany <lsicalo@yahoo.com>
Sent: Friday, September 9, 2022 6:22 PM
To: PDD Long Range Planning <pdd.longrange@phoenix.gov>
Subject: Rezoning case no: Z-43-22-2 disapproval

Hello,

I am a current home owner that lives on 57th St and Shea Blvd and I am writing to say that I strongly oppose the rezoning of case no: Z-43-22-2. I believe that allowing this rezoning will have a domino effect with additional rezonings and will reduce the value of our neighborhood. Please do not approve! Thank you.

Sincerely,
Lany Sicalo

Sent from my iPhone

Paradise Valley
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-43-22-2

Date of VPC Meeting	September 12, 2022
Request From	RE-43
Request To	R-O
Proposed Use	Residential office
Location	Southeast corner of 57th Street and Shea Boulevard
VPC Recommendation	Continuance to the October 3, 2022 meeting
VPC Vote	15-0

VPC DISCUSSION:

10 members of the public registered to speak on this item, in opposition.

Staff Presentation:

Mr. Bojórquez, staff, provided an overview of the rezoning case Z-43-22-2, describing the location, surrounding land uses, existing zoning, and General Plan Land Use Map designation. Mr. Bojórquez then discussed the proposed one-story office building with a detached garage and reviewed the proposed building elevations and renderings. Mr. Bojórquez shared and discussed the proposed site plan, noting vehicular access would be along Shea Boulevard and enhanced landscape standards adjacent to single-family residential would be provided. Mr. Bojórquez noted that staff received 11 letters of opposition, citing concerns with traffic, noise, loss of residential character, and impacts to property values. Mr. Bojórquez shared the staff findings and recommendation of approval and described the proposed stipulations.

Applicant Presentation:

Jason Morris, representing the applicant with Withey Morris, PLC, introduced himself and noted that opposition present at the meeting has taken place in roughly the last five days. Mr. Morris summarized the efforts the applicant has made for community outreach and expressed their willingness to continue their efforts to address any concerns that may come up. Mr. Morris provided an overview of the proposal, noting that the property owner is the same as the developer, and that the proposed office would be for the owner's business for custom single-family homes. Mr. Morris then provided an overview

of the owner's business, Regal American Homes and Drewett Works, a boutique architectural firm. Mr. Morris then provided an overview of the site location, rezoning request, and surrounding uses, noting that Shea Boulevard is not a hospitable residential street to front on and the likelihood of building a single-family residence on Shea Boulevard is very slim. Mr. Morris referenced Section 620 (Residential Office) of the Zoning Ordinance, quoting that the purpose of the R-O district is "intended to control developments on the edges of residential areas which, because of their location on arterial streets or other environmental conditions, are susceptible to pressures for nonresidential uses". Mr. Morris summarized that the subject site is an appropriate location for the transition that R-O zoning district is intended for and would provide a buffer between an arterial street and residential. Mr. Morris then discussed possible alternative uses for the existing RE-43 zoning that would be allowed by-right that could be more detrimental to the neighborhood than the proposed use. Mr. Morris then provided an overview of the project, noting that the project would provide high quality design, construction, and landscaping, with minimal traffic generation and would be oriented away from the neighborhood. Mr. Morris then provided an overview of site access, noting site access is exclusively from Shea Boulevard and would not be from the local residential street, being 57th Street. Mr. Morris then shared the building renderings and emphasized the residential character of the architecture. Mr. Morris stated the hours of operation would end no later than 4:00 p.m. and that parking would be located closer to Shea Boulevard than to the adjacent residential areas. Mr. Morris noted that the building height is less than other existing buildings in the neighborhood, and only pedestrian access is being provided to 57th Street. Mr. Morris concluded his presentation by providing a summary of the project benefits.

Questions from the Committee:

Chair Gubser thanked Mr. Morris for his presentation and asked about the internal traffic circulation. **Mr. Morris** responded ingress/egress is from the far eastern driveway, and an employee or the owners of Regal American can enter through that driveway off Shea Boulevard and then park either in the parking garage or in the parking stalls that face Shea Boulevard. Mr. Morris stated there is a pedestrian path along the northern side of the property that connects to the front door. Mr. Morris stated that in terms of refuse, the applicant has met with commercial haulers to ensure that the design works for collection of refuse through the same driveway.

Jennifer Hall stated the renderings show detached garages and appear to look like a show room, noting a problem the neighborhood is having with muscle cars speeding down the road, and asked if an automobile showroom is proposed. **Mr. Morris** responded that the applicant has no desire to use the detached garage as a showroom and that an automobile showroom use is not permitted in the R-O zoning district.

Cindy DiMassa echoed the same concern of expensive cars that make a lot of noise. **Mr. Morris** reiterated that an automobile showroom is not proposed for the site.

Alan Sparks echoed the same concern, indicating the detached garage as presented in the renderings appears to be very large for four to eight employees and a prospective client or two coming from time to time. **Mr. Morris** clarified that the idea behind the

design of the buildings was to mimic what Regal American would typically build for a client's home. Mr. Morris stated that the garage could help clients visualize the size and scale of the garage and what could fit inside of it for their own properties.

Mr. Sparks thanked Mr. Morris and asked Mr. Bojórquez to clarify the takings waiver stipulation. **Mr. Bojórquez** responded that the last stipulation is a standard stipulation that calls for the applicant to waive their right to make any claim for diminution of property value as a result of the City's action on the above-referenced application.

Mr. Goodhue asked how many parking spaces are being provided and how many are required. **Mr. Morris** replied that 26 total spaces are provided, and 23 are required. **Mr. Goodhue** expressed his surprise that so many parking spaces are required for a residential office use. **Mr. Morris** stated that the applicant may consider applying for a variance to allow a reduction in the number of required parking spaces, since they know the excess parking spaces will never be used. **Mr. Goodhue** agreed that reducing the number of parking spaces would be a good idea. **Mr. Morris** agreed and stated that it took the applicant three months to redesign the site plan to accommodate the neighbors' request that there be no driveway on 57th Street.

Mr. Popovic asked if the applicant's client builds multi-million-dollar homes. **Mr. Morris** responded affirmatively. **Mr. Popovic** asked if the client has agreed to not put a driveway off 57th Street and has given up the right-of-way by putting a 10-foot-wide pedestrian walkway. **Mr. Morris** responded yes and noted that his client has given up additional land on the north side to create a landscape strip to hide parking. **Mr. Popovic** asked if the client has only put one driveway as far away as possible along Shea Boulevard for ingress/egress, that being the only way in and out of the area. **Mr. Morris** responded that is correct. **Mr. Popovic** asked if there are some houses to the south that have taller roofs than the proposed development. **Mr. Morris** responded their neighbor's RV garage is far in excess than what they are showing. **Mr. Popovic** asked if the applicant is prepared to spend several million dollars, assuming they have already spent several hundred thousand soft costs, looking at the feasibility of this proposal and coming to a compromise with the City and neighbors who have been outreached in a timely manner. **Mr. Morris** responded that his client is not only a premier architect in Arizona but is also one of the best-known architects in the nation in terms of luxury housing. Mr. Morris added that redesigning their site to address concerns has added a considerable cost to the proposal. **Mr. Popovic** clarified that the look and feel of the site is supposed to be like a multi-million-dollar home, although it is being used as a small office space for a high-end builder. **Mr. Morris** responded that is correct. **Mr. Popovic** asked if the allocated parking spaces went above and beyond what the City requires. **Mr. Morris** responded yes, to their detriment, and that it is very likely they will be requesting a variance to allow a reduction in parking for spaces they do not need and will turn those spaces into landscaping. **Mr. Popovic** clarified if it was essentially compromising for the betterment of the site and the area. **Mr. Morris** responded affirmatively.

Chair Gubser asked for clarification regarding the dedication or giving away of some property on 57th Street. **Mr. Morris** responded they are providing a dedication that he believes is a total of 55 feet due to this being an older neighborhood that did not have a

complete dedication of Shea Boulevard. Mr. Morris mentioned they are also providing an additional 10-foot sidewalk to push the sidewalk a little further back. **Chair Gubser** clarified it was on Shea Boulevard and not 57th Street. **Mr. Morris** stated that is correct.

Toby Gerst asked if the area is in a conservation district. **Mr. Morris** responded no, stating that the conservation district that he is aware of is further west but not as far east. **Ms. Gerst** asked if there will only be one tenant in the office. **Mr. Morris** stated that is correct, that they are willing to stipulate that as well, and that it is for the sole use of Regal American Homes. **Ms. Gerst** asked if the applicant has addressed that stipulation with the City. **Mr. Morris** responded that the City cannot draft that stipulation but that they are sizing it in a manner that is only usable for their client. **Ms. Gerst** asked to clarify if the applicant is willing to stipulate that. **Mr. Morris** clarified they are willing to stipulate it on the record, but that it is not currently a stipulation of the case. **Ms. Gerst** stated another concern of hers was that it appears as though the garage could be made into a second office building. **Mr. Morris** responded that they would need to provide additional parking to utilize the garage building as an office, which they cannot fit on the site. **Ms. Gerst** asked Mr. Bojórquez how the stipulation could be added to limit the office use to one occupant. **Mr. Bojórquez** responded that City policy is that specific uses for a property, site plans and elevations can be stipulated, but a specific user or exact use on the property cannot be stipulated. Mr. Bojórquez clarified that all underlying uses permitted in the requested zoning district must be allowed.

Public Comment:

Matthew Karlovsky stated he lives about six houses south of the subject site and spoke in opposition. Mr. Karlovsky stated there is uniform opposition to this proposal not only on his street but also along 58th Street and 56th Street. Mr. Karlovsky continued that there used to be a single-family home on the property more than a year ago that was demolished and believes referring to it as vacant land is misleading. Mr. Karlovsky expressed concern with other underlying permitted uses allowed in the R-O zoning district, and that once allowed the office can be split into multiple offices. Mr. Karlovsky also expressed concerns with increased traffic, danger to elderly people and worshipers that walk along the street to the nearby church and synagogue, increased crime with a parking lot full of race cars that are targets and increased noise from the loud motors of the race cars.

Richard Pasquale stated he lives about five to six houses away from this property. Mr. Pasquale commended the developer for proposing a residential appearing facility, but stated it is not a residence and that he is concerned that it is bringing commercial activity into the neighborhood. Mr. Pasquale expressed concern that similar arguments used for this project could then be used for other nearby properties that would bring more offices to the area, bringing a complete set of commercial activity. Mr. Pasquale echoed similar concerns of traffic and this being a busy area. Mr. Pasquale stated the neighborhood is concerned with the precedent approving this rezoning request would set for future redevelopment nearby and how it would affect their neighborhood.

Denise Van De Bossche stated she lives on 57th Street and drives by this lot several times each day. Ms. Van De Bossche was not aware of this request until the sign went

up two weeks ago and does not believe there was enough outreach for the neighborhood to digest it. Ms. Van De Bossche expressed concerns with there being more traffic. Ms. Van De Bossche concluded by stating there are at least 75 people behind the 11 letters of opposition that were received that she has spoken to.

Andrea Wagenhals stated she agrees with Mr. Karlovsky and Ms. Van De Bossche. Ms. Wagenhals stated she also lives on 57th Street and has lived there for 24 years. Ms. Wagenhals stated that she drives by this lot 50 times a day all day long. Ms. Wagenhals echoed Ms. Van De Bossche stating she received no notification by mail and that no one came to her door, and that she only became aware of this request two weeks ago. Ms. Wagenhals stated the neighborhood prides itself in being very quiet and that there are no streetlights in the neighborhood. Ms. Wagenhals expressed concerns with the lighting of the structure. Ms. Wagenhals wanted to know how long the owner has owned the property and if he intended on building this structure when he bought it. Ms. Wagenhals stated the property was an empty lot that was not cleaned up and had an old refrigerator sitting on it up until a month ago. Ms. Wagenhals stated that she opposes this request and believes further time is needed to address the neighbors' concerns. Ms. Wagenhals believes it was very deceitful in the way the applicant did their community outreach.

Bimal Merchant stated he was also a neighbor on 57th Street. Mr. Merchant echoed that the neighbors only noticed it a few weeks ago when the sign went up. Mr. Merchant echoed that there used to be an older home on the property that was demolished, and no one had any idea what was going on there; they assumed a new home would be built there. Mr. Merchant expressed concerns with the potential for additional traffic due to his and his wife's two young daughters. Mr. Merchant stated while the office may be the intended initial use, the R-O zoning district allows a long list of other uses that may be problematic for their neighborhood, in terms of traffic, crime and property values. Mr. Merchant stated the neighbors are disappointed and surprised by this request and he believes that the sign was put up very last minute to avoid public comment.

Mindy Long echoed concerns with bringing in a commercial property into a residential neighborhood, including there being more traffic in the neighborhood and danger to children out on the street.

Angie Whitaker introduced herself and her husband as a neighbor across Shea Boulevard in opposition. Ms. Whitaker stated they would be directly impacted as they would be viewing the commercial building, driveway and garage which used to be a beautiful residential home.

Mr. Whitaker echoed all the same concerns that were brought up by previous speakers, including traffic, views, noise, and property values. Mr. Whitaker noted he would not be opposed if a home was proposed with a home office, but because it is a full-on commercial office, he is opposed to this request.

Robert Zimmerman introduced himself as a neighbor on 56th Street in opposition. Mr. Zimmerman stated it is already a busy street because it is the only light accessible to Shea Boulevard, and that they already get a lot of traffic from the Jewish Temple and

from Mountain View. Mr. Zimmerman posed several questions, including ingress/egress on Shea Boulevard, parking on 57th Street due to direct access to the front door, and use of the property as a showcase property that would have evening events, happy hours, and weekend events to entertain clients. Mr. Zimmerman stated he was notified of this by a note taped to his mailbox by a resident, and he believes there has been zero neighborhood outreach by the applicant.

Dan Moldovan introduced himself as a neighbor since 1986 in opposition. Mr. Moldovan stated that he owns four properties on the street and would not be against building a nice home there but is against building a commercial property. Mr. Moldovan echoed concerns of traffic, parking, and property values. Mr. Moldovan stated that he has a lot invested into the community and would love to see a nice home built there but not more commercial activity due to the previously stated concerns.

Applicant Response to Public Comment:

Mr. Morris clarified that his client purchased a vacant lot with lots of trash and no fence around it, which his client cleaned up and fenced. Mr. Morris stated his client would not build a single-family residence at this location because of its proximity to Shea Boulevard, but that it does have alternatives allowed in the existing zoning district which is why his client was comfortable closing on it. Mr. Morris clarified that the alternatives are much more onerous than the restrictions being placed on an R-O zoned property. Mr. Morris argued that the stated concerns with traffic, access to 57th Street, property values, building heights and other uses are more prevalent if the property is not rezoned to R-O, in terms of an Airbnb or a group home. Mr. Morris argued these uses have less regulation and more unregulated traffic with access immediately to 57th Street than what is proposed.

Mr. Morris continued by stating that the costs of the type of construction being proposed is significantly more than what the costs of building an Airbnb or group home would be. Mr. Morris also stated that they see it very unlikely that a single-family home would be built on this property. Mr. Morris continued to address concerns regarding community outreach. Mr. Morris stated it is not his client's or his office's doing and assured they have done everything they can do elicit input. Mr. Morris continued by stating much of the concerns they have heard, such as concerns about it turning into a church, are irrelevant because it would be allowed on the property already by-right without needing to rezone. Mr. Morris argued that building height should not be a concern since they are already being restricted to less than the overall height allowed in R-O by voluntarily restricting themselves to that height. Mr. Morris continued that they brought in the best architects and designed a contemporary office with a residential look and feel, and neighbors claiming it would somehow devalue their properties, when they have just heard how many rentals there are down this block, countermands their argument. Mr. Morris stated they do not want to be accused of sneaking anything in. Mr. Morris assumes many of these residents were on vacation during the summer and may not have participated in some of meetings that occurred during the summer. Mr. Morris offered their willingness to continue the case so they can have a full and thorough discussion with the concerned neighbors in hopes for them to have a better understanding of what is being proposed and what would be allowed on the property

with R-O zoning, since there seemed to be some misunderstanding. Mr. Morris welcomed any feedback from the Committee.

Discussion:

Vice Chair Joe Lesher commented that he would agree with Mr. Morris' suggestion of continuing the case to see how the applicant can adjust their proposal to address their concerns. Vice Chair Lesher stated that he finds having group homes and Airbnb's is a much more negative experience, especially given the fact that they are allowed under the current zoning. Vice Chair Lesher commented if there was some way that the neighbors and the applicant can come to a happy consensus, it would be better for all concerned.

Mr. Soronson echoed Vice Chair Lesher's comments. Mr. Soronson believes that the applicant and neighborhood need to get together and work things out.

Mr. Sparks echoed Mr. Soronson and Vice Chair Lesher. Mr. Sparks believes both sides have very valid arguments and believes they are concerns that can be resolved through conversation. Mr. Sparks stated the part that bothers him is the fact that so many of the neighbors have been taken by surprise when there are notification requirements to notify nearby neighbors that would be impacted. Mr. Sparks expressed his concern that the neighbors' feelings have not been properly addressed and believes a little bit more time for the parties to get together would be good. Mr. Sparks clarified he would rather vote for a continuance.

Mr. Popovic echoed Mr. Sparks, Mr. Soronson, and Vice Chair Lesher's comments, and stated that the Committee should vote for a continuance to allow the concerned neighbors and the applicant more time to work together.

Mr. Goodhue clarified that from a procedural standpoint, the Committee is only a recommendation entity. Mr. Goodhue stated if the Committee votes to continue, it would only be a recommendation, and asked if the client could still opt to go to City Council. **Mr. Morris** clarified that they would not proceed to Planning Commission or City Council until they had a recommendation of approval from the Committee.

Ms. Gerst asked Mr. Bojórquez what notification requirements are in terms of time before the hearing. **Mr. Bojórquez** responded it is a minimum of 10 days before the VPC hearing and that the notice of hearing letter must be sent out by the applicant. Mr. Bojórquez stated signs must be posted a minimum of 14 days before the hearing.

Ms. Gerst stated she would be opposed to the project without a continuance for several reasons. Ms. Gerst stated that she lived in an area like this one on 37th Street and Shea Boulevard, where an office building was built on a previously zoned RE-43 lot. Ms. Gerst noted that the design and height was changed and that the traffic is still adversely impacting the neighbors today. Ms. Gerst clarified it is not to say that would happen in this case, but believes more time is needed and that there should be a continuance.

MOTION – Z-43-22-2:

Mr. Goodhue motioned to recommend a continuance of Z-43-22-2 to the October 3, 2022 Village Planning Committee meeting. **Roy Wise** seconded the motion.

VOTE – Z-43-22-2:

15-0; motion to recommend a continuance of Z-43-22-2 to the October 3, 2022 meeting passes with Committee members Balderrama, Bowman, DiMassa, Gerst, Goodhue, Hall, Mazza, Mortensen, Popovic, Soronson, Sparks, Ward, Wise, Lesher and Gubser in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

No comments.

Paradise Valley
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-43-22-2

Date of VPC Meeting	October 3, 2022
Request From	RE-43
Request To	R-O
Proposed Use	Residential office
Location	Southeast corner of 57th Street and Shea Boulevard
VPC Recommendation	Continuance to the November 7, 2022 meeting
VPC Vote	15-0

VPC DISCUSSION:

This case was continued from the September 12, 2022 Paradise Valley VPC meeting.

4 members of the public registered to speak on this item, in opposition.

Staff Presentation:

None.

Applicant Presentation:

Jason Morris, representing the applicant with Withey Morris, PLC, introduced himself and discussed their neighborhood outreach following the continuance of this case at the September 12, 2022, Paradise Valley Village Planning Committee meeting. One neighborhood meeting was hosted and the neighbors in attendance requested changes to the project due to traffic concerns and fears of increased commercialization in the neighborhood. Mr. Morris requested a continuance of the case to the November 7, 2022, Paradise Valley Village Planning Committee meeting. Mr. Morris will also be requesting a continuance at the October 6, 2022, Planning Commission meeting.

Questions from the Committee:

None.

Public Comment:

Patrick Van de Bossche stated that the number of individuals in opposition to this case has increased and 70 individuals now have signed a petition of opposition to the project.

Matthew Karlovsky stated that there is overwhelming opposition to this project. Mr. Karlovsky sent a letter of opposition on the case and attended the last neighborhood meeting hosted by the applicant at Chaparral High School. Mr. Karlovsky does not agree with the applicant's argument of not building a single-family home on this lot and the developer should have known the limitations of building on the lot before purchasing it. Mr. Karlovsky stated that it is inappropriate for the applicant to state that if this office project is not built here, that they might develop a short-term rental or a group home on the site instead. Mr. Karlovsky stated that there are no neighbors in support of this request, and he wishes for this case to be denied.

Bryan Long attended the last neighborhood meeting hosted by the applicant and feels that this continuance may create confusion or wear down the opposition to the case. Mr. Long stated that this continuance is not being requested in good faith by the applicant. Mr. Long lives close to the subject site and did not find out that meetings were being hosted in the summer regarding this case until it was too late.

Denise Van De Bossche registered to speak on the case but opted to not provide comments.

Applicant Response to Public Comment:

Mr. Morris shared that he is optimistic that common ground will be found with the neighbors. Mr. Morris discussed his interactions with Vice Chair Lesher as a neighbor on another project years prior and described how his team worked with the community on that contentious case.

Discussion:

Vice Chair Joe Lesher encouraged the neighbors to engage in conversations with the applicant and to advocate for things that they do want to see in the project. Vice Chair Lesher stated that neighbors do have the ability to keep fighting the case if they choose to and find it is in their best interest.

MOTION – Z-43-22-2:

Mr. Goodhue motioned to recommend a continuance of Z-43-22-2 to the November 7, 2022 Village Planning Committee meeting. **Alex Popovic** seconded the motion.

VOTE – Z-43-22-2:
15-0; motion to recommend a continuance of Z-43-22-2 to the November 7, 2022 meeting passes with Committee members Bowman, DiMassa, Goodhue, Maggiore, Mazza, Mortensen, Petersen, Popovic, Schmidt, Soronson, Sparks, Ward, Wise, Lesher and Gubser in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

No comments.

ATTACHMENT E

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

ADDENDUM A
Staff Report Z-43-22-2
November 7, 2022

Paradise Valley Village Planning Committee Meeting Date:	November 7, 2022
Planning Commission Hearing Date:	December 1, 2022
Request From:	RE-43 (One-Family Residence District) (1.37 acres)
Request To:	R-O (Restricted Commercial District) (1.37 acres)
Proposed Use:	Residential Office
Location:	Southeast corner of 57th Street and Shea Boulevard
Owner:	10441 North 57th Street Holdings
Applicant/Representative:	Jason Morris, Withey Morris, PLC
Staff Recommendation:	Approval, subject to stipulations

On September 12, 2022, and October 3, 2022, the Paradise Valley Village Planning Committee heard this request and recommended a continuance by a vote of 15-0 in both instances. The applicant has since submitted a revised site plan and elevations, on November 2, 2022, that addresses the community and committee concerns regarding the garage size. In addition, since the staff report was published on September 12, 2022, staff has received 19 letters in opposition which are included as an attachment. Concerns include commercial uses encroaching into the established residential neighborhood, traffic, property values, and safety. Staff has also received 7 letters in support which are included as an attachment. The letters support the enhanced architecture, access via Shea Boulevard, and residential office use rather than short-term rentals.

The revised site plan includes a garage that was reduced by 145 square feet adjacent to an existing residential property. In addition, the revised elevations include a reduction in fencing facing 57th Street and alternative fencing between the proposed office and the proposed garage. Due to the revised site plan and elevations, staff recommends revisions to the stipulations as follows:

- **Stipulation No. 1** regarding general conformance to the site plan and elevations.

- **Stipulation No. 2** regarding the garage size.

Staff recommends approver per the modified stipulations in bold font below.

1. The development shall be in general conformance with the site plan date stamped **~~August 19, 2022~~ NOVEMBER 2, 2022** and elevations date stamped **~~August 19, 2022~~ NOVEMBER 2, 2022**, with specific regard to the inclusion of metal fascia, wood finish, and stone veneer walls or split face block, as modified by the following stipulations and approved by the Planning and Development Department.

2. THE DETACHED GARAGE STRUCTURE SHALL NOT EXCEED 4,615 SQUARE FEET IN SIZE.

~~2.~~ The maximum building height shall be 23 feet.
3.

~~3.~~ A minimum building setback of 15 feet shall be provided along the south
4. property line.

~~4.~~ A minimum 10-foot landscape setback shall be provided along the east
5. property line and planted with minimum 2-inch caliper trees placed 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

~~5.~~ The south landscape setback shall be planted with minimum 50 percent 2-inch
6. caliper and minimum 50 percent 3-inch caliper large canopy, drought tolerant trees, as approved by the Planning and Development Department.

~~6.~~ The north landscape setback shall be planted with minimum 50 percent 2-inch
7. caliper and minimum 50 percent 3-inch caliper large canopy, drought tolerant trees, as approved by the Planning and Development Department.

~~7.~~ The front yard setback along 57th Street shall be planted with minimum 50
8. percent 2-inch caliper trees, minimum 25 percent 3-inch caliper trees, and minimum 25 percent 4-inch caliper trees to be placed 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

~~8.~~ The developer shall maintain the exiting detached sidewalk landscape area
9. located between the back of curb and sidewalk along Shea Boulevard and replenish it to the following standards, as approved by the Planning and Development Department.

   a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant

shade trees to provide a minimum 75% shade.

b. Drought tolerant shrubs and vegetative groundcovers maintained to a maximum height of 24 inches to provide a minimum of 75% live coverage at maturity.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

~~9.~~ 10. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast parking and drive aisle surfaces, as approved by the Planning and Development Department.

~~10.~~ 11. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper size large canopy drought tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25 percent shade at maturity, as approved by Planning and Development Department.

~~11.~~ 12. A minimum of 4 bicycle parking spaces shall be provided through Inverted U and/or artistic racks dispersed throughout the site and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.

~~12.~~ 13. The developer shall dedicate minimum 55-feet of right-of-way and a 10-foot-wide sidewalk easement for the south half of Shea Boulevard, as approved by the Planning and Development Department.

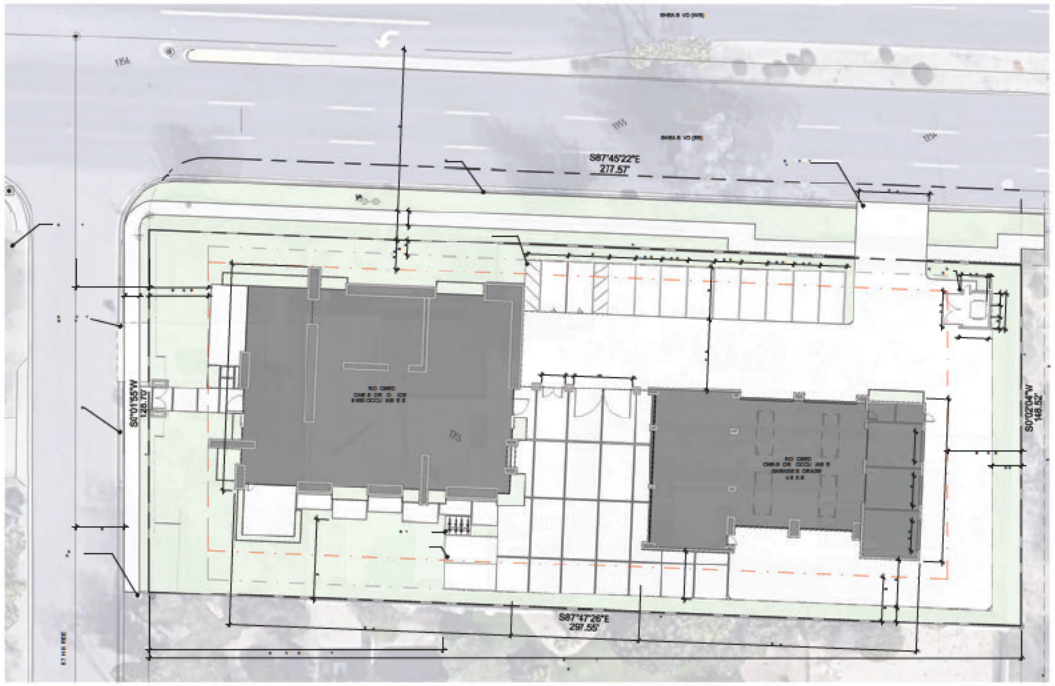
~~13.~~ 14. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

~~14.~~ 15. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

~~15.~~ 16. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

Exhibits

Revised Conceptual Site Plan date stamped November 2, 2022
Revised Conceptual Elevations date stamped November 2, 202
Community Correspondence (50 pages)



CITY OF PHOENIX

NOV 0 2 2022

Planning & Development Department

PRELIMANARY SITE PLAN

1" = 20'-0"

LOT SALES

PER C.O.P - THERE ARE NO LOT SALES AT THIS SITE

C.O.P. PROJECT IDENTIFICATION NO

KIVA PROJECT #:	21-5810
SDEV#:	2100581
PAPP#:	2110239
LSPL [FORTHCOM NG] Q-S:	28- 1

DREWETT WORKS // ARCHITECTURE

7144 E STETSON DR , SUITE 204
SCOTTSDALE, AZ 85251
P 855 373 9388 // F 855 373 9388
PLANS @ DREWETTWORKS COM

OWNER

10 1 N 57TH ST HOLDINGS LLC
C/O N 12TH ST, SUI E 200
PHOENIX, AZ USA 8501

DESIGN

DREWETT WORKS
71 E STETSON DR. SUITE 20
SCOTTSDALE, AZ 85251
PPHONE: (855) 373-3388

PROJECT NARRATIVE

PROPOSED PROJECT CONS STS OF 1 STORY OFF CE BUILD NG, V-B CONS RUC ION TYPE. THE IN ENT IS O PROVIDE A HIGH-END OFFICE AND GARAGE/SHOWROOM WITH LUXURY SPACES AND MATERIALS

ZONING INFORMATION

CURRENT ZONING: RE- 3

PROPOSED ZON NG: R-O

PARKING CALCULATION

REQU RED TOTAL PARKING: 22
REQU RED ADA: 1

PROPOSED O AL PARK NG: 26
PROPOSED ADA: 2

BIKE PARK NG:

LOT COVERAGE

MAX MUM LOT COVERAGE: 30%

PROPOSED LOT COVERAGE: 30%

VICINITY MAP



APN

168-0 -008A

LEGAL ADDRESS

10 1 N 57TH ST
PARADISE VALLEY, AZ
85253

NET SITE AREA

3,291 SF

10441 N 57TH ST
PARADISE VALLEY, AZ
85253

REGAL AMERICAN OFFICE

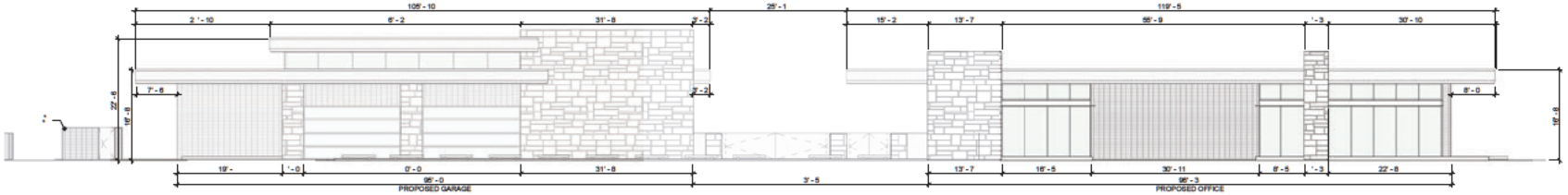
FOR	REZONING
DATE	08-18-2022
REV	

PRELIMINARY SITE PLAN

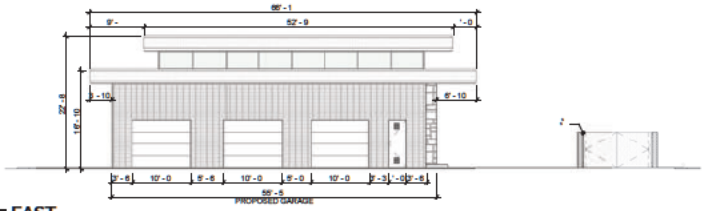
NOT FOR CONSTRUCTION
08-18-2022

DR200

22-18



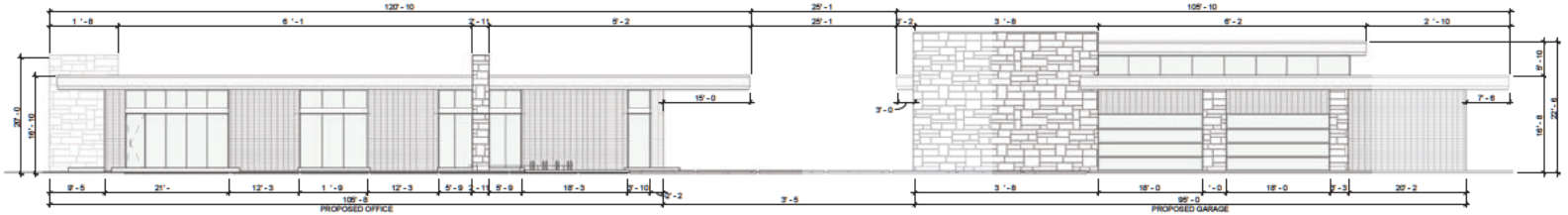
[1] NORTH
1" = 10'-0"



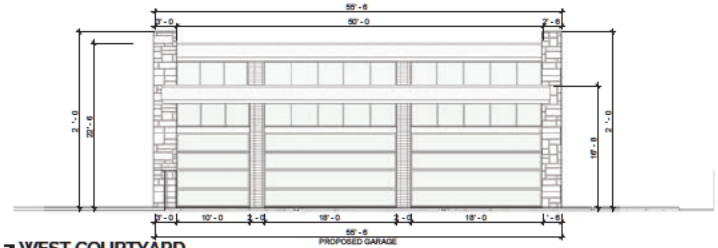
[3] EAST
1" = 10'-0"



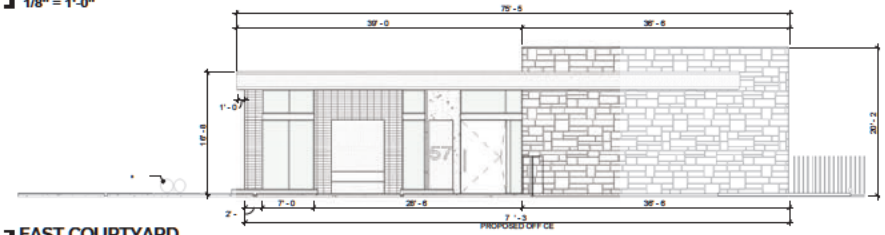
[2] WEST
1" = 10'-0"



[4] SOUTH
1" = 10'-0"



[5] WEST COURTYARD
1/8" = 1'-0"



[6] EAST COURTYARD
1/8" = 1'-0"

CITY OF PHOENIX
NOV 02 2022
Planning & Development Department

COP PROJECT IDENTIFICATION NO

KIVA PROJECT #:	21-5810
SDEV#:	2100581
PAPP#:	2110239
LSPL [FOR HCOMING] Q S:	26- 1

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SCOTTSDALE, AZ 85251
PPHONE: (855) 373-9388

MATERIAL LEGEND
- BLOCK - S ACK BOND
- ME AL FASCIA / ROLLED STEEL
- WOOD FINISH, BD
- GLASS
- STONE VENEER OR SPLIT FACE BLOCK

APN
169-0 -008A

LEGAL ADDRESS
10 1 N 57TH ST
PARADISE VALLEY, AZ
85253

NET SITE AREA
3,291 SF

10 1 N 57TH ST
PARADISE VALLEY, AZ
85253

REGAL AMERICAN OFFICE

FOR: REZONING
DATE: 08-18-2022
REV:

ELEVATIONS

NOT FOR CONSTRUCTION
08-18-2022

DR501
22-18

Nayeli Sanchez Luna

Subject: FW: Stop the change to Commercial - Z-43-22-2?

From: vbroman@cox.net <vbroman@cox.net>
Sent: Thursday, September 8, 2022 10:35 AM
To: PDD Long Range Planning <pdd.longrange@phoenix.gov>
Subject: Stop the change to Commercial

As a resident in the city of Phoenix (although our address shows Paradise Valley), we are strongly opposed to building more commercial property in an area that is residential. There is more than enough office space and commercial property on Shea Blvd. There is more being built next to the Mountainside Fitness Center, and there are lots of available office space signs within a 2-mile radius of this area. The office area is not needed. By changing this area on Shea to commercial, it will impact the homes around it. We are a residential community, and we moved to this area because it was a residential area. The amount of traffic on Shea Blvd currently is overwhelming. More traffic coming on and off Shea for commercial purposes causes more congestion, more noise, and a lesser quality of living for those of us that live here. There is no value to converting more residential properties on Shea to commercial, except for the developers and construction companies that reap the profits. My husband and I object to this change and believe that it will impact our area and the quality of life in our area, in the future.

Regards,

Vicki Broman
6146 E. Cochise Road
Paradise Valley, AZ 85253
480-699-7788

Nayeli Sanchez Luna

Subject: FW: Rezoning Case No: Z-43-22-2

From: denise@vdbassociates.com <denise@vdbassociates.com>
Sent: Thursday, September 8, 2022 2:11 PM
To: PDD Long Range Planning <pdd.longrange@phoenix.gov>
Subject: Rezoning Case No: Z-43-22-2

I am a neighboring homeowner in **opposition** to Rezoning the parcel at 10441 N. 57th Street and Shea Blvd. (Rezoning Case No: Z-43-22-2)
The subject parcel backs to a well-established residential community in strong opposition to any change.
57th Street forms a gateway entry corridor into the Town of Paradise Valley with large well maintained residential lots (RE-43) and the natural and scenic amenities leading up to Mummy Mountain and the foothills of the Phoenix Mountain Preserve.

Commercial zoning at the subject lot will reduce property values and negate the trajectory of improvements made in the last 5 years on 57th Street. This is one of the last areas in Phoenix where there are large acre lots, with homeowners who have raised their families for several decades. Homeowners here are taken the appreciation of the last decade and re-investedhundreds of thousands of dollars in improvements. Any re-zoning at the entrance into our beautiful neighborhood will immediately reduce the property values. This is an unfair proposal which does not take into account the residential character of the neighborhood.

Changing the zoning will also require traffic controls on Shea. It will also introduce commercial traffic on to our residential streets. And it will set a precedent along Shea for additional commercial buildings, which are unnecessary. There are numerous offices at the intersections of Tatum and Shea, as well as Scottsdale Rd and Shea. There is absolutely no reason there needs to be additional office space in this post-COVID environment which has changed the need for additional office space and resulted in excess office space throughout the area. We believe this is self-serving and strongly oppose the application.

Sincerely,
Denise van den Bossche
Homeowner: 9640 N. 57th Street
Mobile: 602-980-0737

Nayeli Sanchez Luna

Subject: FW: Application No: Z-43-22

From: Bob DeLean <bob.delean@gmail.com>
Sent: Monday, September 19, 2022 12:38 PM
To: Nayeli Sanchez Luna <nayeli.sanchez.luna@phoenix.gov>
Subject: Application No: Z-43-22

Ms. Sanchez Luna,

I want to express my opposition to the application to change this property from RE-43 to R-O. This is a residential neighborhood. Period. It is unfair to the long-time residents that live in the vicinity to allow a high-traffic office building into this purely residential area. Withey Morris states that Regal American Homes has earned a reputation as one of Arizona's premier luxury home builders. Fantastic. Let them build a very lucrative premier luxury home on this lot. This lot and the surrounding subdivisions are zoned RE-43 for a reason --- because this is a residential neighborhood. There are plenty of other locations that are already zoned for an office building.

To allow this zoning change to occur so that a corporation can make more money is a slap in the face to the residential taxpayers that call this neighborhood home. Please contact me if you'd like to discuss further.

Sincerely,

Robert DeLean
5811 E Cochise Rd, Paradise Valley, AZ 85253
Country Estates Lot #17
(2 lots east of proposed sight)
480-437-4454

Nayeli Sanchez Luna

Subject: FW: Rezoning Case No: Z-43-22-2

From: Bimal Merchant <brmerchant@gmail.com>
Sent: Tuesday, September 20, 2022 7:05 PM
To: PDD Long Range Planning <pdd.longrange@phoenix.gov>
Subject: Rezoning Case No: Z-43-22-2

To whom it may concern:

I am writing in reference to the above-referenced rezoning case. I live at 9809 N 57th Street and am strongly opposed to the rezoning of the property located at the Southeast corner of 57th Street and Shea Boulevard. I am extremely concerned that the rezoning of this property will have a material adverse impact to property values. In addition, I am worried about safety in the neighborhood. A residential office will increase traffic and could potentially open the doors to rezoning of more properties in the neighborhood.

The plan and specifics disclosed by the property owner's attorney not only includes a residential office but also includes a massive garage. That should not be allowed in a residential neighborhood. While the designation will be for a residential office, there is no way to constantly monitor the property to assure its intended use. The possible uses could extend to parties and other events that would bring noise and unwanted attention from bad actors.

I have two young daughters: 11 years old and 9 years old. We bought into this neighborhood because of the family feel, proximity to great schools, restaurants and other venues. By rezoning to commercial (residential office), there is concern amongst a vast majority of the neighbors that the same would cause significant detriment to our otherwise family oriented neighborhood. We are extremely concerned that the rezoning would also bring unwanted attention from criminals and other wrong doers.

Had we known that a property on our very street could be rezoned to commercial, we would have had some serious pause and likely would not have moved forward. This would be an embarrassment for our neighborhood.

I cannot stress enough how vehemently we and our neighbors are to this rezoning. We strongly encourage the Paradise Valley Village Committee as well as the City of Phoenix deny the rezoning request.

If you have any questions or would like to discuss, please do not hesitate to contact me.

Thanks,

Bimal Raj Merchant
9809 N 57th Street
Paradise Valley, AZ 85253
(480) 544-3505

From:	Adrian G Zambrano
To:	Adrian G Zambrano
Subject:	Z-43-22-2 - 2022-09-27 - Opposition - Christa Klein
Date:	Wednesday, September 28, 2022 12:23:00 PM

From: christa klein <christaklein82@gmail.com>
Sent: Tuesday, September 27, 2022 6:24 PM
To: PDD Long Range Planning <pdd.longrange@phoenix.gov>
Subject: Re-zoning case number Z-43-22-2

Our family of 7 lives on 57th street just south of the subject parcel. We strongly object to this re-zoning. We feel it will make the neighborhood less safe for our children to play outside and walk to the bus stop. I believe there is plenty of commercial property already available at shea and Tatum that is already sitting empty, therefore, if a business wants to open close by there is already a place for them. We just bought this home less than a year ago because its in a "neighborhood" close enough to be a part of everything while still being secluded and safe. Putting a business on the end of the block will change that drastically and lower our new home's value. It will bring in unwanted traffic and endanger the families with small children, like ours, that live here.

Please keep our neighborhood a safe place for kids and families. Thank you for your consideration in this matter.

-Christa, Mike, Allie, Charli, Ethyn, Carlotta and Camilla Klein,
10019 N 57th St, Paradise Valley, AZ 85253

Nayeli Sanchez Luna

Subject: FW: Item 3, Oct 3 Meeting, Case #Z-43-22-2

From: denise@vdbassociates.com <denise@vdbassociates.com>
Sent: Friday, September 30, 2022 5:15 PM
To: PDD Long Range Planning <pdd.longrange@phoenix.gov>
Cc: denise@vdbassociates.com
Subject: Item 3, Oct 3 Meeting, Case #Z-43-22-2

Dear Committee members,
have had a full time career in real estate here in the Valley for 40 years. I have also been a homeowner in Paradise Valley since 1984, my first home being very close to the Paradise Valley Mall. I now live ½ mile from the 57th and Shea proposed re-zoning application and do much of my business in this neighborhood. I have sold several homes on 57th Street. I can guarantee you that any re-zoning on the lot at 10441 N. 57th Street will immediately and significantly devalue this neighborhood.

The role of the committee is to recommend requests that will help the community as a whole. The community will not benefit from any re-zoning on the applicant's lot. The application is self-serving strictly for the benefit of the applicant to profit to the determent of the entire neighborhood.

The applicant just purchased the property this year. We have lived here for decades. Some of the immediate neighbors who live the closest, and others who have signed petitions opposing this re-zoning, grew up here and have lived here for 4 decades or longer.

We all look to the committee to look at the situation in relationship to their role and purpose in the Urban Village committee, which is to be a voice to the politicians on what is best for the community, and not allow special interests to override that purpose.

Warmly,
Denise van den Bossche



Nayeli Sanchez Luna

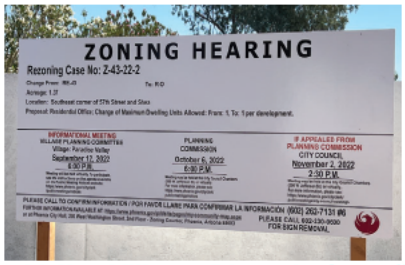
Subject: FW: Item 3, Oct 3 Meeting, Case #Z-43-22-2
Attachments: Re-Zoning Petition 37 - 40 sigs.pdf; Re-zoning Petition 1-16 fully signed.pdf; Re-Zoning Petition 17-26 sigs.pdf; Re-Zoning Petition 27 - 36 sigs.pdf; Signature 5721 E Mountain View LaBelle Guy.pdf; Signature E Mountain View LaBelle.pdf; Signature 10209 N 57th St Karlovsky x 2.pdf; Signature x 4 9459 N. 57th St.pdf; Signature 9841 N 57th St Gerston.pdf; Signature x 4 5700 E Bar Z Lane & 10405 N 57th St.pdf; Signature x 3 10616 N. 68th Pl & 10628 N 68th Pl.pdf; Signature x 2 Klein 10019 N 57th St.pdf; Signature 10038 N 57th St Scatena.pdf

From: denise@vdbassociates.com <denise@vdbassociates.com>
Sent: Friday, September 30, 2022 5:26 PM
To: PDD Long Range Planning <pdd.longrange@phoenix.gov>
Subject: Re: Item 3, Oct 3 Meeting, Case #Z-43-22-2

Dear Committee members,
Attached are the signatures of 59 immediate neighbors Opposing ANY rezoning of the 10441 N. 57th Street (Subject Property applying for re-zoning).
Please include for committee members for Monday's meeting. More petitions are in process.

Warmly,
Denise van den Bossche
Neighbor of Subject Property: 9640 N. 57th Street

Authentisign ID: 7781B510-3E40-ED11-A27C-14CB655B2CA7

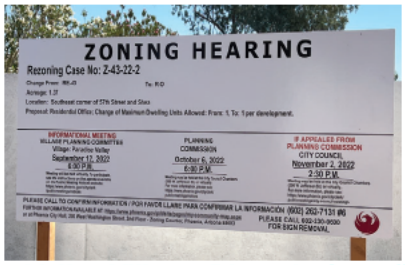


Paradise Valley Village Phoenix Case #2-43-22
Application to re-zone from Residential to Commercial

By signing below, I OPPOSE ANY ZONING CHANGES FROM the current RESIDENTIAL zoning
TO THE LOT AT 57TH STREET AND SHEA. (As well as 56th Street and 58th Street)

LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
1. Marie Stallone	5840 E Caron Circle	Authentisign Marie Stallone, Homeowner 09/29/22
2. Fred Stallone	5840 E. Caron Circle	Authentisign Fred Stallone, Homeowner 09/29/22
3. Russell Wilson	5840 E. Donna Lane	Authentisign Russell Wilson, Homeowner 09/29/22
4. Jan Wilson	5840 E. Donna Lane	Authentisign Jan Wilson, Homeowner 09/29/22
5. Rebecca Gerber	5855 E. Donna Lane	Authentisign Rebecca Gerber, homeowner 09/29/22
6. Pamela Gerber	5855 E. Donna Lane	Authentisign Pamela Gerber, Homeowner 09/29/22
7. Shauna Chavez	5856 E. Donna Lane	Authentisign Shauna Chavez 09/29/22
8. Adrea Wagenhals	10029 N. 57th St	Authentisign Andrea Wagenhals, Homeowner 09/30/22
9. Denise van den Bossche	9640 N. 57th St	Authentisign D van den Bossche, homeowner 09/29/22 Denise A Van Den Bossche 09/29/22
10. Patrick van den Bossche	9640 N. 57th Street	Authentisign P van den Bossche, homeowner 09/30/22
11. Aleisha Mallon	5841 E Mountain View	Authentisign Aleisha Mallon, homeowner 09/29/22
12. Steven Neidhart	9311 N. 58th St	Authentisign Steven Neidhart, homeowner 09/29/22
13. Anne Neidhart	9311 N. 58th St	Authentisign 09/30/22
14. Ron Foeldi	10048 N. 57th St	Authentisign Ron Foeldi, homeowner 09/30/22
15. Julia Libling	9460 N. 57th St	Authentisign Julia Libling, homeowner 09/29/22
16. Martin Libling	9640 N. 57th St	Authentisign Martin Libling, Homeowner 09/29/22

Authentisign ID: 2F212486-D240-ED11-A27C-14CB655B2CA7

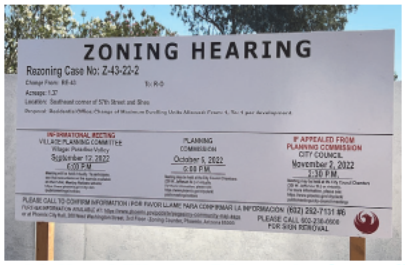


Paradise Valley Village Phoenix Case #2-43-22
Application to re-zone from Residential to Commercial

By signing below, I OPPOSE ANY ZONING CHANGES FROM the current RESIDENTIAL zoning
TO THE LOT AT 57TH STREET AND SHEA. (As well as 56th Street and 58th Street)

LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
17. Shalini Bansal	5921 E Mountain View	
18. Donna Heller	5815 E Sanna	Donna Heller, Homeowner 09/30/22 Donna Heller
19. Lewis Heller	5815 E Sanna	Lewis Heller, Homeowner 09/30/22 Lewis Heller
20. Fred Deutsch	5823 E. Donna Lane	Fred Deutsch, Grew up here 09/30/22 Fred Deutsch
21. Ed White	9390 N. 57th St	Ed White, Homeowner 09/30/22 Ed White
22. Valerie White	9390 N. 57th St	
23. Alex Bowman	5923 E Mountain View	Alex Bowman, Homeowner 09/30/22 Alex Bowman
24. Larry Pepe	9304 N. 58th St	Larry Pepe, Homeowner 09/30/22 Larry Pepe
25. Gary Vaughn	5839 E Caron Circle	Gary Vaughn, Homeowner 09/30/22 Gary Vaughn
26. Julie Vaughn	5839 E Caron Circle	Julie Vaughn, Homeowner 09/30/22 Julie Vaughn

Authentisign ID: 11DCB1B8-FD40-ED11-A27C-14CB655B2CA7

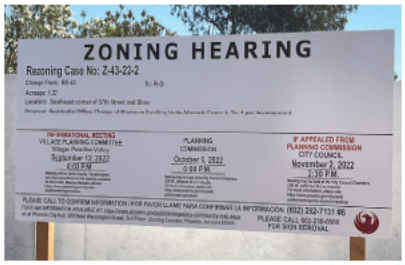


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TO THE LOT AT 57TH STREET AND SHEA. (As well as 56th Street and 58th Street)

LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
27. Paula Bowman	5801 E. Sanna St	Authentisign Paula Bowman, homeowner 09/30/22
28. Jay Snyder	9591 N. 56th St	
29. Diana Snyder	9591 N. 56th St	
30. JoAnn Augur	10037 N. 56th St	
31. Carmen Blank	9447 N. 57th St	Authentisign Carmen Blank, homeowner 09/30/22
32. Michael Blank	9447 N. 57th St	Authentisign Michael Blank, homeowner 09/30/22
33. Joan Pepe	9304 N. 58th St	
34. John Sampanes	5827 E Mountain View Rd	Authentisign John Sampanes, homeowner 09/30/22
35. Missi Rosenfeld	9459 N. 57th St	
36. David Rosenfeld	9459 N. 57th Street	

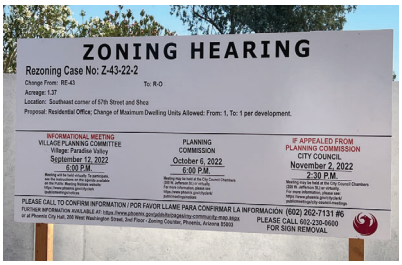
Authentisign ID: D9ED60F6-0E41-ED11-A27C-14CB655B2CA7



Paradise Valley Village Phoenix Case #2-43-22
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LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
37. Bryan Long	10203 N. 57th St	
38. Mindy Long	10203 N. 57th St	
39. Richard Pasquale	10210 N. 57th St	
40. Dari Hing	10020 N. 57th St.	AuthentiSIGN' Dari Hing, homeowner 09/30/22

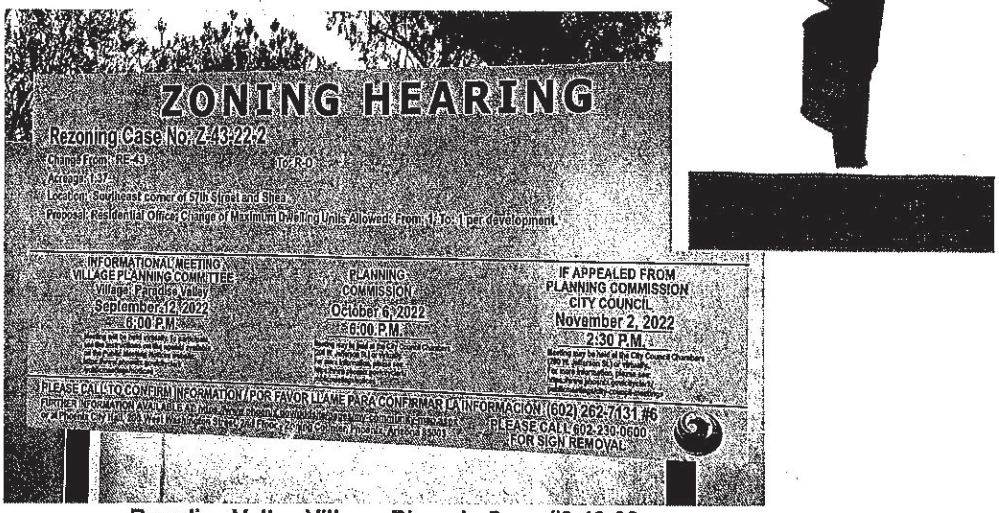


Paradise Valley Village Phoenix Case #2-43-22
Application to re-zone from Residential to Commercial

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TO THE LOT AT 57TH STREET AND SHEA. (As well as 56th Street and 58th Street)

LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
Guy Labelle	5721 East Mountianview rd Paradise Valley Az 85253	Guy Labelle

If we missed you, please Scan and fax to 1-866-233-4384



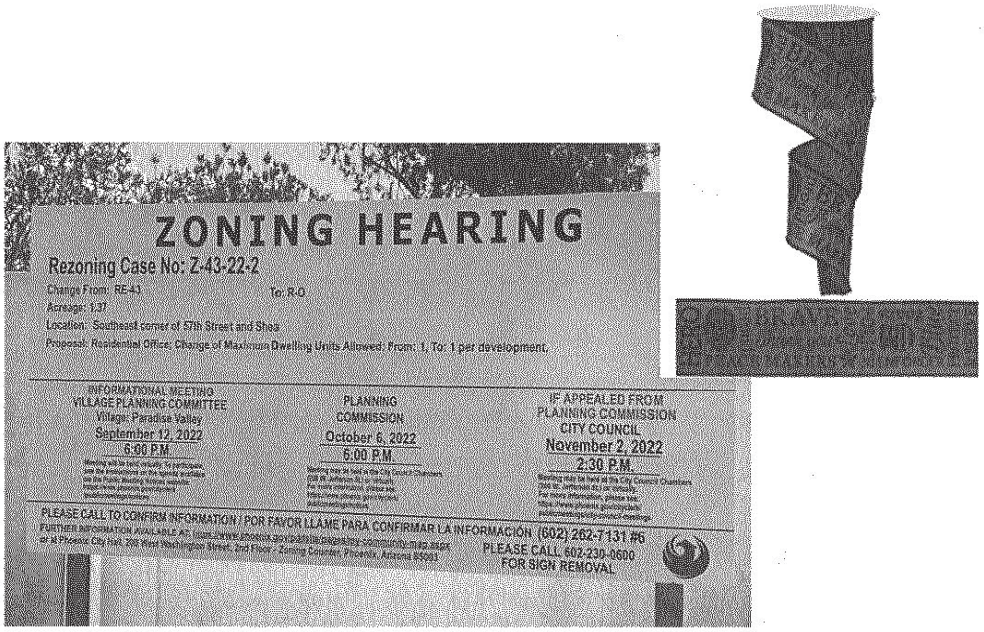
Paradise Valley Village Phoenix Case #2-43-22
Application to re-zone from Residential to Commercial

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LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
GERSTON	9841 N 57 ST.	Sandra Gerston
SANDRA		

Scan and fax to 1-866-233-4384

BILL SCATENA
Senior Vice President NMLS#195827
8800 North Gainey Center Dr Suite 205 | Scottsdale, AZ 85258
Direct (480) 566-2185 | Cell (847) 924-8209
bscatena@thefederalsavingsbank.com
WWW.THEFEDERALSAVINGSBANK.COM/BILLSCATENA

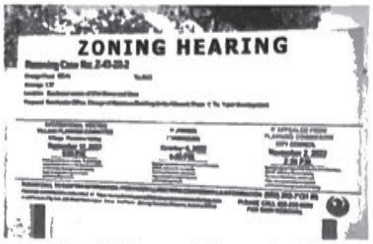


Paradise Valley Village Phoenix Case #2-43-22
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LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
Scatena, William	6038 N. 57th St Paradise Valley AZ	Will Scatena

Scan and fax to 1-866-233-4384

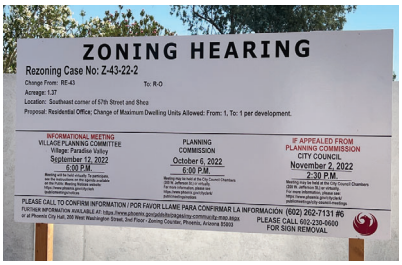


Paradise Valley Village Phoenix Case #2-43-22
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LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
Karlovsky, Matthew	10209 N. 57th St.	
Karlovsky, Lisa	10209 N. 57th St. PVAZ 85253	

If we missed you, please Scan and fax to 1-866-233-4384

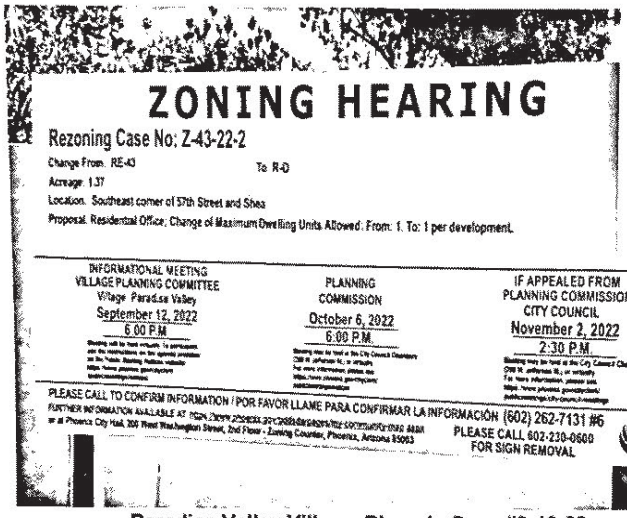


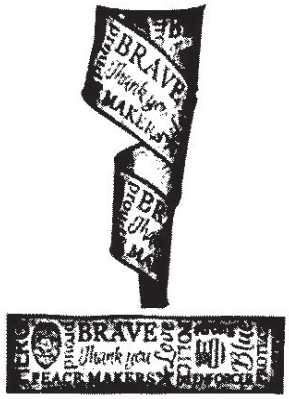
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LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
pat Labelle	Pat Labelle East Mountainview rd Paradise Valley Az	Pat Labelle

If we missed you, please Scan and fax to 1-866-233-4384



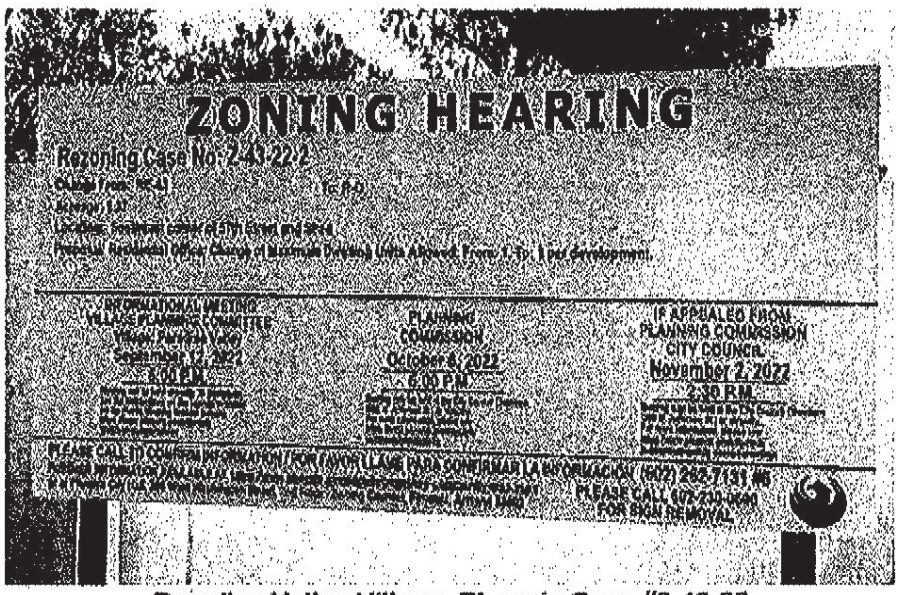


Paradise Valley Village Phoenix Case #2-43-22
Application to re-zone from Residential to Commercial

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LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
Klein, Michael	10019 N 57th st Paradise Valley AZ, 85253	
Klein, Christa	10019 N 57th st Paradise Valley, AZ 85253	

Scan and fax to 1-866-233-4384

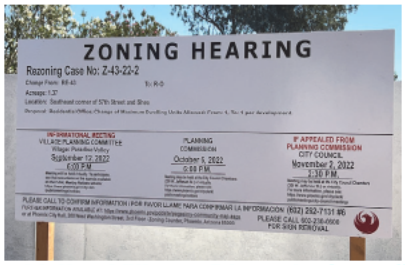


Paradise Valley Village Phoenix Case #2-43-22
Application to re-zone from Residential to Commercial

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LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
Anderson, Sandi	10616 N. 68th Pl Scotts	Sandi Anderson
Anderson, Don	10616 N. 68th Pl Scotts	
Reese, Mike	10628 N 68 PL Scotts	Mike Reese

Scan and fax to 1-866-233-4384

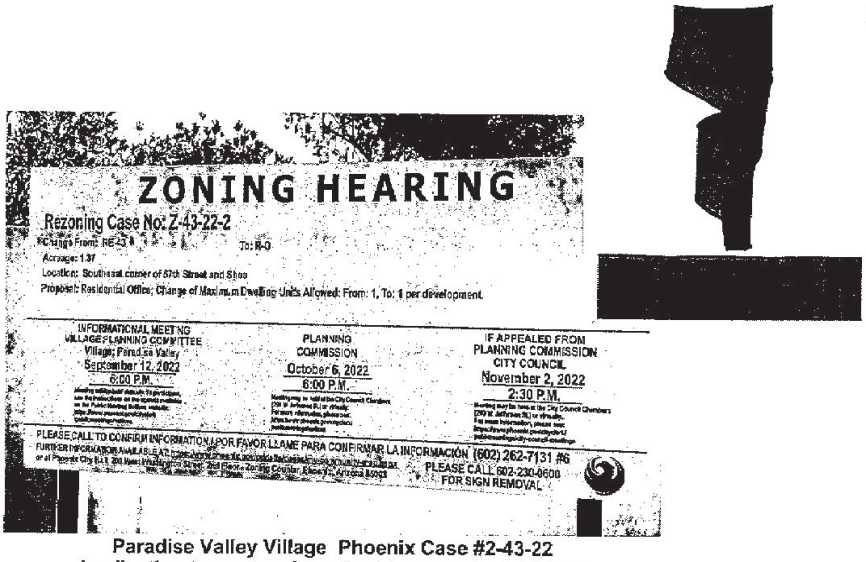


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LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
Missi Rosenfeld	9459 n 57st, paradise valley, az 85253	
David Rosenfeld	9459 n 57st, paradise valley, z 2	
Ethan Rosenfeld	9459 n 57st, paradise valley, az 85253	
Elle Rosenfeld	9459 n 57st, paradise valley, az 85253	

If we missed you, please Scan and fax to 1-866-233-4384



Paradise Valley Village Phoenix Case #2-43-22
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TO THE LOT AT 57TH STREET AND SHEA.

LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
Bilitch David Isabel	5700 E Rancho Dr. AZ 85253	David Bilitch Isabel Bilitch
WEINSTOCK, ANNE	10405 N. 57th St	Anne Weinstock
WEINSTOCK, Ronald	10405 N 57th St Scotts., AZ 85253	Ronald Weinstock

Nayeli Sanchez Luna

Subject: FW: Z-43-22-2

From: Bimal Merchant <brmerchant@gmail.com>
Sent: Friday, November 4, 2022 9:34 PM
To: PDD Long Range Planning <pdd.longrange@phoenix.gov>
Subject: Z-43-22-2

To whom it may concern:

I am writing in reference to the above-referenced rezoning case. I live at 9809 N 57th Street and am strongly opposed to the rezoning of the property located at the Southeast corner of 57th Street and Shea Boulevard. I am extremely concerned that the rezoning of this property will have a material adverse impact to property values. In addition, I am worried about safety in the neighborhood. A residential office will increase traffic and could potentially open the doors to rezoning of more properties in the neighborhood.

The plan and specifics disclosed by the property owner's attorney not only includes a residential office but also includes a massive garage. That should not be allowed in a residential neighborhood. While the designation will be for a residential office, there is no way to constantly monitor the property to assure its intended use. The possible uses could extend to parties and other events that would bring noise and unwanted attention from bad actors.

I have two young daughters: 11 years old and 9 years old. We bought into this neighborhood because of the family feel, proximity to great schools, restaurants and other venues. By rezoning to commercial (residential office), there is concern amongst a vast majority of the neighbors that the same would cause significant detriment to our otherwise family oriented neighborhood. We are extremely concerned that the rezoning would also bring unwanted attention from criminals and other wrong doers.

Had we known that a property on our very street could be rezoned to commercial, we would have had some serious pause and likely would not have moved forward. This would be an embarrassment for our neighborhood.

I cannot stress enough how vehemently we and our neighbors are to this rezoning. We strongly encourage the Paradise Valley Village Committee as well as the City of Phoenix deny the rezoning request.

If you have any questions or would like to discuss, please do not hesitate to contact me.

Thanks,

Bimal Raj Merchant
9809 N 57th Street
Paradise Valley, AZ 85253
(480) 544-3505

Sent from my iPhone

Nayeli Sanchez Luna

Subject: FW: ReZoning Case No: Z-43-22-2

Original Message-----
From: Matthew Laffer <mattlaffer@gmail.com>
Sent: Friday, November 4, 2022 12:10 PM
To: Council District 2 PCC <council.district.2@phoenix.gov>
Cc: PDD Long Range Planning <pdd.longrange@phoenix.gov>
Subject: ReZoning Case No: Z-43-22-2

Dear Councilman Waring,

I am writing in opposition of of the rezoning of the land parcel at 57th and Shea. As a new family to this residential community I strongly oppose this permit. This is a residential community and I want it to remain so. We love this neighborhood and as a parent of 3 young children am worried about the changes of bringing increased business and traffic to our neighborhood. A similar request was made for a lot at 58th and Shea several years ago and was turned down by the council. I hope that you are able to continue to support the families in this area that would be negatively effected by increasing business in a quiet, residential area. We look forward to your support in opposing this proposal prior to our family, friends and neighbors casting our votes in the November 8th election.

Thank you,

Dr. Matthew Laffer & Mrs. Brittany Laffer
5610 East Mountain View Rd
Paradise Valley, 85253

Nayeli Sanchez Luna

Subject: FW: Comment for Monday Nov 7 meeting: Rezoning Case No.: Z-43-22-2

From: Matthew Karlovsky, M.D., F.A.C.S. <karlovskym@yahoo.com>
Sent: Friday, November 4, 2022 11:55 PM
To: PDD Long Range Planning <pdd.longrange@phoenix.gov>; Enrique A Bojorquez-Gaxiola <enrique.bojorquez-gaxiola@phoenix.gov>
Subject: Comment for Monday Nov 7 meeting: Rezoning Case No.: Z-43-22-2

Dear Planning Committee,

This is the 3rd virtual event that I am participating in to register my strong opposition to this rezoning attempt. Our neighborhood of single-family homeowners on N. 57th St, N. 58th St and N. 56th St are all unanimously opposed resoundingly against the absentee lot owner from attempting this rezoning. Since June when the builder/owner's attorney stated he began reaching out to us neighbors, he has been **unable** to convince any of the homeowners to agree to his proposal. Not one.

We previously collected 70 signatures of neighbors that we presented at the prior meeting with **no one** in favor of this proposal.

This proposal adds dangerous new traffic elements to the corner of Shea and N. 57th St. The builder's proposed ingress and egress on Shea itself is actually **more** dangerous since it will be a relatively blind entry/exit onto Shea. This stretch of Shea is a major artery with heavy traffic already. There was a death of several individuals traveling in a car from N. 57th to Shea in the past prior to the population growth we have now. The proposed ingress/egress in situated in a place where traffic speeds up after the traffic light from N. 56th St.

That the builder states their entrance to their office complex lot will be changed from N.57th St to Shea creates **more** danger for drivers on Shea, drivers turning right going east from N.57th St and from drivers trying to exit the proposed office complex lot. Morris' law firm did not even propose or offer to perform a traffic assessment impact study that would otherwise would likely prove that their proposed ingress/egress makes the neighbor **more**, not less dangerous, for drivers, walkers, and bikers. Their lack of interest in their project's true impact on traffic and danger to the local walkers and bikers demonstrates a lack of thoughtfulness or consideration for the unintended damage the office complex would create.

There is no good reason that can be put forward by the builder why they need to erect a 23-car garage on the property lot. This will inevitably be used for gatherings, parties, events, whether during standard office hours, or after hours. The builder's attorney conveyed to us at the neighborhood meeting several months ago this space is multi-use space. Any after-hours parties, gatherings or events hosted by the builder may reasonably include alcohol consumption and the danger of drunk driving. This introduces an unacceptable risk to our local neighborhood.

If this rezoning request is granted, then the other four "border lots" along Shea between N.56th St and N. 58th St, will soon be sold to other builders who will then easily apply for and have their lots rezoned to RO as well. This would create an unacceptable commercial zone along our streets destroying the neighborhood's appearance and status. The neighborhood of Paradise Valley must maintain its character and appearance. The City of Phoenix may have allowed rezoning from RE to RO in other areas of the city, but this area of Paradise Valley cannot be allowed to be converted to commercial buildings.

The builder, Regal American, is an expert luxury home builder and knew or should have known they would meet homeowner resistance to their proposed rezoning attempt. To deny this is to lie to the community since this was his initial intention as stated to us at the neighborhood meeting. The builder's attorney claims that there are no other commercial properties in or near Paradise Valley for his proposed office complex. This is absurd and simply not true. In addition, the builder's attorney claims that the builder cannot build a single-family home at the corner of Shea and N. 57th street because **it is too busy**!!! The irony of this statement should not be lost on the planning committee. And the builder stated that no one would want to build or buy such a corner property. This is also simply not true. There are 3-4 new homes that are new construction within the past 3 years on Shea between Tatum and N. 64th St. The builder does have another option... he can sell the lot. However, when asked by a neighbor at the local meeting about what his 2nd option would be if he could not obtain rezoning, Mr. Morris stated that he would build a single-family home there.

Lastly, the neighbors of N. 57th St, N. 58th St. and N 56th St. will be engaging with a land use attorney the week of November 7. Our rights, our property, our neighborhood, our quality of life will be badly damaged and negatively impacted by the proposed rezoning request. Our attorney and the firm will vigorously defend our neighborhood's rights and properties. We have meet with the attorney two weeks ago and will be moving forward to formally legally block this rezoning attempt.

Sincerely,

Matthew E. Karlovsky, M.D., F.A.C.S.

Nayeli Sanchez Luna

Subject: FW: Opposition to rezoning 57th Street and Shea

From: Michele Adler Cohen <brazilianpianist@hotmail.com>
Sent: Friday, November 4, 2022 9:44 PM
To: PDD Long Range Planning <pdd.longrange@phoenix.gov>
Subject: Opposition to rezoning 57th Street and Shea

We live on 57th street and are opposed to rezoning on 57th Street and Shea to accommodate a large office building.

Michele and Yaneav Cohen
4802136553

Get Outlook for iOS [aka.ms]

Nayeli Sanchez Luna

Subject: FW: Opposition to rezone Southeast corner of 57th street

-----Original Message-----
From: Andy Coumides <acoumides@gmail.com>
Sent: Saturday, November 5, 2022 5:27 AM
To: PDD Long Range Planning <pdd.longrange@phoenix.gov>
Subject: Opposition to rezone Southeast corner of 57th street

I oppose the rezoning of 1.37 acres located at the southeast corner of 57th Street and Shea Boulevard from RE-43 (One-Family Residence) to R-O.
Andy Coumides
9336 N58 street
85253

Sent from my iPhone

Nayeli Sanchez Luna

Subject: FW: Item Z-43-22-2

From: Brendan Franks <brendan.franks@gmail.com>
Sent: Saturday, November 5, 2022 7:59 AM
To: PDD Long Range Planning <pdd.longrange@phoenix.gov>
Subject: Item Z-43-22-2

Paradise Valley Village Planning Committee Members,

My name is Brendan Franks, and presently live at 10006 N. 58th St Paradise Valley AZ 85253 [google.com] with my wife Meaghan and our two children ages 3 and 1.

Our property is 9 lots (under .5 miles) away from the subject property/development and want to make clear we are vehemently opposed to the rezoning effort in our neighborhood.

Our chief concerns focus squarely on two main issues: traffic and safety.

Traffic is already a major concern on Shea both East and West directions at nearly all times of the day and evening.

While heading North on 57th towards Shea to access the Tatum/Shea commercial corridor, making a left is a daunting task. In the morning, commuters on Shea are rushed to get to work making hasty turns and hazardous lane switches, sometimes under traffic lights to inch closer to their destination at any cost. We see this often next to a school located at 56th and Shea, where speed limits of just 15mph are hardly adhered to. In the evening, we hear drag racing.

Adding just one extra vehicle from the proposed redevelopment will only make this dangerous left all but impossible. In fact, after purchasing our home, we learned a previous owner's family was involved in a fatal accident making this exact left turn (Westbound) at 57th and Shea.

Exiting Shea into our neighborhood isn't safer, and unfortunately, we know this firsthand. In 2021, while pregnant, my wife was stopped in the turn lane on Shea and 58th, waiting for a break in traffic to get home and was sideswiped at 50mph. She was rushed by ambulance to Honor Health Scottsdale Shea to see if our baby was still alive. Due to the crash, her car was towed away and needed $15,000 in repairs and $25,000 in emergency medical procedures and monitoring. And yes, the police were called, and the driver was ticketed for speeding, reckless driving, and failure to avoid an accident. We still don't know if this accident inflicted any developmental issues for our now one-year-old.

After doing some research, we learned the individual who purchased the lot in question has residential development projects in Paradise Valley south of us. This creates another commuter drive to the site through our neighborhood of Mountain View, Morning Glory, Sanna, 58th, 57th,

and 56th that already have issues with non-residents speeding and snaking through our streets to avoid Tatum or Scottsdale Rd during high traffic hours while children are walking and waiting at bus stops. To that point, from 7-9am M-F, only school buses driving Eastbound are permitted to head South on Morning Glory to reach Doubletree Ranch Rd. With continued speeding and safety issues, further action was taken by the Paradise Valley Police Department: almost without fail, there is a marked police SUV that waits on the corner on Mountain View and 57th every weekday morning. Us neighbors and residents gladly welcome PVPD's efforts to ensure our safety; adding more risky rush hour drivers avoiding traffic is not what we want or need. Despite these efforts, the problem persists.

As a commercial property owner, I know firsthand the operational and ownership attention that a building of this size needs. Without question, clients, staff, vendors, maintenance, and other service providers will utilize our neighborhood streets to access the proposed site during the day. It's a nonstop carousel to commercial sites; commercial trash, commercial deliveries, commercial Fedex/UPS, commercial lawn care, janitorial services, etc. Workers at the proposed site will, from time-to-time, want some fresh air. Shea doesn't provide that; they will undoubtedly walk our neighborhoods. This is a major safety issue as strangers will be looking at or into our homes. The increased vehicular and personnel volume is not what is wanted or needed.

We frequently walk, stroll, and wagon, in the precise area where an increase in traffic would limit our family neighborhood outings. When we do walk outside, we always go into the neighborhood, away from Shea. Three sets of close neighbors on 57th and 58th with children drive to our home so their children will not be hit by speeding cars. We did not ever anticipate having these worries when we moved here. Had we known we would be adding existing hazards with a new, complex layer that included the commercialization of our streets, we wouldn't have moved here 2 years ago. Simply put, it's too dangerous.

Nighttime use isn't any better. Just two months ago, we heard a knock on our door in the evening from a non-resident cutting through our neighborhood. Our mailbox, walking path and flowerpots in our front yard were destroyed and run over as the driver was speeding and distracted, per my security cameras. (I opted not to file a police report because the driver was a 17-year-old Chaparral Senior) His car was totaled, and we incurred $8,000 worth of damage. We were left with a pile of rubble and worry that they could have plowed into our home. We are living through another accident just months and steps away from the last one. We were terrified. What if our kids were outside? Why don't others respect our speed bumps? Why didn't he take Scottsdale Rd or Tatum if you don't live here? Why do nonresidents continue to speed and snake through our streets?

This incident and problems at night are not isolated. The rules of statistics say more cars, more accidents, more people, more crime; a harrowing and uncomfortable thought after our neighborhood has already experienced recurring vehicular tragedy. Last week, on October 29th 2022, there was an armed robbery where a resident was held at gunpoint by a nonresident at the corner of 61st and Mountain View. It's our understanding, the suspect was thought to be an actual roofing contractor. The non-stop carousel of commercial contractors previously discussed already brings crime into our homes. The backyard of the home next door was used as a point of entry; multiple family homes with children were turned into crime scenes. As it relates to the proposed lot

to be redeveloped, we do not have the resources as a neighborhood to fend off bad actors using the facility late at night as it is intended. We are a neighborhood at risk.

According to LoopNet and CoStar, “go-to” commercial property databases, there is an overabundance of office space varying in size, building age, rent per square foot, etc. available for rent at the Tatum Shea and Scottsdale Shea intersections. There are also lots available that currently conform to the zoning use proposed. Commercial lots do not start until much further down Shea toward Tatum or Scottsdale Rd, making this a very awkward standalone commercial site, and risks bringing other commercial sites to existing properties with older homes at nearby street corners, including our street on 58th and Shea. If one gets zoning approval, others will follow suit. Commercial real estate likes to be close to other commercial real estate.

The proposed development site at the corner of 57th and Shea, where a home existed until a few weeks ago, is not the “highest and best use” of this lot, a golden rule in commercial real estate. Our neighborhood truly cannot stomach another tragedy. This lot is a residential lot, has been historically, and should remain so in the future. Again, simply put, it really is just too dangerous. This neighborhood has experienced fatal accidents, mother and fetus trauma, armed robbery, and persistent negligent driving. We encourage the future use of this site to conform with existing zoning laws for all the reasons stated above.

Nayeli Sanchez Luna

Subject: FW: Rezoning Case No: Z-43-22-2

From: Mindy Long <mindy@mindylong.com>
Sent: Saturday, November 5, 2022 6:27 PM
To: PDD Long Range Planning <pdd.longrange@phoenix.gov>
Subject: Rezoning Case No: Z-43-22-2

To Whom it May Concern:

We would like to continue expressing our concern about the proposed rezoning of the lot on 57th and Shea to commercial from residential. Zoning rules are meant to preserve neighborhoods, and we are asking you to maintain the original zoning of this property.

Rezoning to commercial will change the feel of our neighborhood, which many of us have made significant investments in, and will also likely negatively affect property values and impact the safety of our streets.

A commercial property by nature has more traffic than a residential. Traffic on Shea is already a concern. There was just a three-car accident with injuries on Oct. 31 between 58th and 57th on Shea. Should we be adding traffic turning in and out of a commercial enterprise in this area?

Additionally, as proposed, the business's clients will enter and exit on Shea. Those that want to go west will either park and travel on 57th St., increasing traffic, go east and make a U-turn on Shea, increasing traffic, or go east on Shea, then right onto 58th St. to Mountain View to 56th to get to a light, increasing traffic on our residential streets where we have children riding bikes and people walking.

Rezoning 57th and Shea to commercial will make it more likely commercial rezoning requests for lots at 56th or 58th and Shea will be approved or even deeper into our neighborhood. This one change could create a domino effect that erodes the purpose of a residential zoning.

Additionally, the lawyer for this developer has claimed that the only viable uses of this property are the proposed development, or a group home (including a halfway house). This claim is inconsistent with numerous newly constructed, single-family houses along Shea Blvd. within less than a mile of the sight for this proposed development in both directions

Further, the lawyer for this developer has employed unethical tactics throughout this process. At the neighborhood meeting held at Chaparral High School, the lawyer for this developer told attendees that the developer currently had an offer on the table to sell to an operator of group homes, which if this proposed development isn't approved, they would sell to this group home. The lawyer then went on to clarify that a group home may include a halfway house. The comment was designed to intimidate and create fear among those in opposition of the proposed development, many of whom were older and would clearly be concerned about the possibility of a halfway house in their neighborhood. Additionally, the continuance requested at the previous council meeting by the lawyer for this developer was clearly intended to create confusion and fatigue among opposing neighbors.

This site was acquired by the developer zoned as residential. The developer knew this was a residential property. The neighborhood is not asking the Council to change this zoning. We are asking the Council to maintain this zoning. The council has a precedent of declining requests for rezoning and this precedent should be respected. The lot directly behind this proposed development (at 58th and Shea) was previously denied being rezoned for commercial use. This precedent should be respected and maintained.

Additionally, there is plenty of unoccupied commercial space in the area. We don't need to rezone residential areas to accommodate commercial needs.

We have compiled over 70 signed petitions from neighbors opposed to rezoning this location. The residents of this neighborhood have clearly expressed opposition to this rezoning and the planning commission should respect that the neighbors clearly do NOT want this proposed development.

Thank you,

Bryan and Mindy Long
10203 N. 57th St.
Paradise Valley, 85253
--
Mindy Long
Mindy Long Freelance LLC
Cell: 703-220-2672
Office 480-306-7177
mindy@mindylong.com

Nayeli Sanchez Luna

Subject: FW: Rezoning Case No: Z-43-22-2

From: Santosh Rao <mamidi@yahoo.com>
Sent: Saturday, November 5, 2022 7:16 AM
To: PDD Long Range Planning <pdd.longrange@phoenix.gov>
Cc: Praneeta Rao <praneetarao@hotmail.com>
Subject: Rezoning Case No: Z-43-22-2

To: City of Phoenix and Paradise Valley Village Planning Committee:

From: Praneeta Rao and Santosh Rao (owners), residing at,10438 N 57th St, Paradise Valley, AZ 85253.

STRONGLY OBJECT TO THE PROPOSED REZONING

The Rezoning proposal is just not about the "Regal American Homes". If this proposal passes, it sets a precedent for all the properties around to be rezoned. As long-time residents at this address (since 2004), we have seen a gradual increase in traffic on Shea boulevard. This change will result in a significant depreciation of home values. **PLEASE DO NOT APPROVE.**

Our neighborhood is dismayed that this is under consideration. Our opposition is three-fold 1. Setting precedent for others
2. Depreciation of home values. 3. Increased traffic on Shea.

Thanks you for your consideration and praying for this **proposed rezoning to be REJECTED**

Regards,

Praneeta & Santosh Rao.

Re: Item #4, Z-43-22 rezoning request

My name is Richard Pasquale, I live at 10210 N. 57th St, just five houses away from the residential parcel in question.

1. THIS NEIGHBORHOOD IS DEDICATED TO RESIDENTIAL PROPERTIES

Our neighborhood is exclusively zoned R-43 for single family homes. The proposed R-O zoning is contrary to:

- the community master plan,
- the character of the neighborhood,
- and the wishes of the homeowners in this neighborhood.

2. THERE ARE IS *NO* COMMERCIAL ZONING IN OUR NEIGHBORHOOD

Attorney Morris has previously exaggerated the extent of non-residential activity along this portion of Shea Blvd. It is true that there are two places of worship, but the fact is the fitness facility that he mentioned is to the west some distance, moreover that facility and the adjacent forthcoming healthcare facility have caused great and continuing distress among homeowners near there as discussed in multiple articles in the community newspaper. Similarly, an R-O zoned office building further west on Shea at 37th St has also caused significant and continuing chagrin for homeowners there. We urge that this body not foist similar misery and diminishing property values upon our neighborhood by approving zoning for a commercial business.

3. REZONING PERMITS ENTIRELY COMMERCIAL LOOKING BUILDINGS

A zoning change is lasting, it's not just about these proposed buildings. If rezoned R-O, this owner or future owners could change their use of the proposed buildings to house multiple commercial office tenants. R-O zoning would also allow a future owner to later expand, creating a more commercial looking and higher traffic office building, such as a 25' tall (two story) office complex, further ruining the single family home nature of our neighborhood.

4. ANY RESIDENTIAL LOOK OF EVEN THESE BLDGS IS DESTROYED BY SIGNAGE

Attorney Morris has emphasized the appearance of the proposed buildings, saying they were designed by a residential architect and are compatible with the neighborhood. However, all of their renderings omit signage. The appearance of this parcel would be far different with signage.

5. THE SIGN ORDANCE (705) DESTROYS THE “R” IN R-O

As a “Nonresidential activity in a residential district” there are extensive forms of signs allowed, wrecking any hint of a residential neighborhood.

a. A ground sign 5’ tall
b. Wall signs at a height of up to 15’. Based upon the formula, with the two buildings roughly extending a combined 300 linear feet on the two streets, there could be 75 square feet of wall signs
c. A marquee
d. Brightly illuminated signs in our dark sky neighborhood sans street lights.
e. Canopies and awnings with signage.
f. 30% of the windows can be covered with signage.
g. Directional signs with the business name
h. Pedestrian signs
i. Lease signs
j. Temporary signs
k. Moreover the signage code “Flexibility Provisions” (705E), permit businesses to submit plans for even higher limits on signage

6. SOLO ATTEMPT TO MITIGATE SIGNAGE ISSUE

Concerned that this planning group might approve rezoning regardless of the universal opposition of the neighborhood, I contacted Attorney Morris’ firm about signage.

Representing only myself, I had a series of conversations with his firm over several weeks. I was told the developer would likely want a ground sign, but they hadn’t decided any specifics about signs. I asked that the parcel’s owner consider a stipulation that would permit ground, directional, pedestrian, and sale/lease signage, but exclude signage on the buildings that would be viewable from the street.

7. “ONLY IF I SUPPORT THE PROJECT”

Eventually I was told that they would only consider a stipulation if I supported the rezoning in writing. I said I did *not* support the rezoning, but would being willing to write letter stating they responded favorably to my suggestion. The property owner was approached, but refused to agree to any stipulation.

8. ANOTHER ATTEMPT TO MITIGATE SIGNAGE

Still quite worried that the approval bodies might force R-O zoning down the throat of the neighborhood no matter how much we object, I requested that they ask the parcel owner to reconsider. While still *not* supporting the rezoning, I

proposed to provide a letter greatly embellishing Regal American's cooperativeness if they would agree to a signage stipulation. They did not agree.

9. THERE IS NOTHING RESIDENTIAL ABOUT THIS PROPOSAL

Buildings with commercial signage do not fit in with our neighborhood in any way. While attorney Morris may attempt to rebut this concern by suggesting that *this* owner will likely have only limited signage, such claims are not binding on either this owner or especially future owners. Without a binding and constrictive stipulation, there is nothing about this and future R-O uses that is residential. Its ruining another neighborhood with commercial development.

10. THE DEVELOPER IS NOT ACCOMODATING IN MULTIPLE WAYS

It is not just signage where there is a failure to engage in stipulations that limit this commercial intrusion into our R-43 neighborhood. There were clear requests other homeowners made at public meetings, asking that there be no access from 57th Street. Yet the developer's renderings show a doorway and sidewalk directly to 57th Street. As a consequence, clients of business(es) there can be expected park on our quiet residential street. This quiet street is not lined with sidewalks. Children, adults, and pets go for walks and bicycle down this quiet street on a regular basis. Commercial traffic creates genuine safety concerns.

11. MORE TRAFFIC THAN HAS BEEN ACKNOWLEDGED IS LIKELY

Attorney Morris has suggested the office building will only be used roughly from 9 to 5. Yet, he has not denied that the property could often be used for receptions and events in the evening and weekends. The very intent to place the developer's high-end automobiles into a massive garage on the property suggests that this facility could be the site of frequent gatherings with the cars as a focal point. Such events could draw many client vehicles, with parking for those clients overflowing into our neighborhood on 57th and 58th streets. This means commercial clients and possibly high performance cars zipping up and down our streets where children and adults are trying to safely stroll.

12. TRAFFIC FOR FUTURE R-O USES WOULD BE EVEN WORSE

A zoning change is lasting, it's not just about the immediate use proposed. Attorney Morris strives to minimize the planned parking and traffic from Regal Homes' proposed use. If rezoned R-O, this owner or future owners could change their use of the proposed buildings to house multiple commercial office tenants which could bring significant vehicle traffic, completely transforming what have always been safe, quiet streets.

13. ECONOMIC VALUE

No member of this board should take deviations from the master plan lightly. Nor should any member of this board readily dismiss the universal concerns of the homeowners in our neighborhood. Even though Country Club Acres is a very small subdivision, we've worked hard to invest in our homes in terms of both creating a neighborhood and creating economic value. Collectively our homes have a market value far in excess of $100 million. Please do not devalue this Phoenix neighborhood by deviating from R-43 zoning.

14. NON-DESTRUCTIVE ALTERNATIVES

For this parcel attorney Morris emphasizes that a skilled residential architect has designed the buildings they propose with a goal is to impress customers with the quality of their firm's construction work and that the parcel will have landscaping to help shield the property from Shea Blvd. Well, an attractive design, quality construction, and landscaping would equally assure that a residential home can again be successfully placed on that very same parcel. Moreover, as a single family home, this parcel fronts 57th Street, not Shea Blvd. It faces an existing multimillion dollar home, nearly 6,000 square feet in size (10438 N 57th St).

There is a double-digit vacancy rate for existing office space in Phoenix. There is no reason to destroy our neighborhood with this request for a commercial office when there is already plenty of office space available in non-residential areas. If the applicant needs new construction of an office, there are ample properties available that are already properly zoned for that purpose.

Nayeli Sanchez Luna

Subject: FW: Rezoning of Z-43-22-2

From: Matthew Karlovsky, M.D., F.A.C.S. <karlovskym@yahoo.com>
Sent: Saturday, October 1, 2022 7:44 AM
To: PDD Long Range Planning <pdd.longrange@phoenix.gov>
Subject: Rezoning of Z-43-22-2

Many of us neighbors met with Regal American and their attorneys, Jason Morris and Alex Hayes on Tuesday Sept 27 at Chapparal High School to listen to their justification for desiring rezoning the property in question. Here is a synopsis of Jason Morris' best arguments:

- It'll benefit the neighborhood/local community to have a residential office
- It will only be a 1 story building
- Since Shea is an arterial roadway, it is "inappropriate" to build a single-family home.
- To reduce the risk the lot will be used for straight commercial use
- It'll only be showroom office for Regal, Even though their main build are by Lincoln, and Chapparal Rd
- Frontage roads on Shea are used to protect primary residential homes
- Access will only be off Shea
- Avi (the owner of Regal American) spent a lot of money on this
- It will not impact traffic
- If you don't allow us to rezone our second choice will build an Airbnb or group home
- There is a lack of alternatives

None of these meets the burden of a luxury well-seasoned home builder, who knowingly purchased a lot, on the extremely busy corner of Shea and 57th St, and then regretting the purchase because of its location, and then trying to force through a rezoning to R-O, to the detriment of the neighbors because of his ill-conceived purchase.

This is a classic case of ***Caveat Emptor***, the principle in commerce that the buyer alone is responsible for assessing the quality of a purchase before buying. Avi/Regal American knew full well there would be a very

realistic uphill challenge to any rezoning, if that was even his original intention prior to buying the lot. More likely, he bought the lot to build a home, but then realized he may not be able to maximize profits, so he decided to make it an office. Except he doesn't have zoning. Avi and his attorney failed to equally consider the option that he is also free to sell the lot. He is under no obligation to actually build anything. He is free to sell it. That property has been bought and sold many times, ergo, plenty of potential buyers Avi can sell to.

One person, Avi Azoulay/Regal American, does not get to force a zoning change because he did not due his due diligence before buying the lot, and now wishes to change the landscape of the area. Too bad for him. We live here, He does not. If he wants a showroom for his clients, there is PLENTY of commercial real estate, near his home in PV, in other areas of PVR, the Shea corridor, and so on. If they do not like the commercial real estate available currently, that is again, not our problem. That is his problem he is trying to make into ours. In his mind, he bought a dud, and now is trying to make us pay for it. He wants profit at our expense because of his poor business decision.

Morris had the temerity to paradoxically say in the same breath that the lot is not fit for a family home because the area is too commercial, (yet many home exist along Shea including new builds on Shea itself within the last 3 years), and yet because there isn't ***enough*** commercial property for a showroom fit for Avi/Regal, they need this property to be changed from RE to RO for their selfish benefit, regardless of the homeowners.

We don't care how much money Avi has put into it. That is his problem, not ours.

We don't care if the office won't be higher than 25 feet or have a cool modern look. All these details are distractions. We simply do not want an office building with an enormous and out of place 23 car garage in a neighborhood of million-dollar homes. This proposal anyway if far away from his typical site of construction on Lincoln and Chapparal. Why then put his office here?

It is irrelevant the access will be off Shea. No one single family lot property on the south side of Shea has access directly onto Shea because it is dangerous. All access to Shea from the southside are into city streets, or small frontage roads. Frontage roads exist to protect the family homeowners from the heavy arterial traffic of Shea…when Sheawas built in the 1980s. The traffic is so far worse now, and the proposed Shea access to Regal's office project is extremely dangerous, creates traffic slowdowns, adds to traffic and endangers the bikers, walkers and drivers who live in the area. He does not live in the area; neither does Morris so the impact to them is dismissible.

The current zoning is in place to specifically protect the character of the neighborhood and the intentions of homeowners and prevent a lot owner who does not live on the street to ignore the impact of a bad business decision that he regrets. Morris' argument that "we're the good guys because RO will be so good for you, because if it stays zoned RE that's bad, but if its RO it'll protect it from being flipped to commercial zoning, in pure nonsense. It's RE now which is actually good and it is that way to protect it from predatory attempts like his to change it. Zoning rules are meant to **PRESERVE** neighborhoods. You'd be surprised to learn that the Morris' firm actually wholeheartedly ***agrees*** with us neighbors that ***single family residential zoning is very important to preserve.*** Is that actually true???

Morris' legal firm, which is trying currently to convince the council and us neighbors (who they wish to financially injure with his office complex project) that the rezoning from RE to RO is for the *good of the neighborhood*, that it will add value and good optics to the neighborhood. "Rezoning helps the neighborhood, it adds value, it adds progress, and benefits the greater good", Morris argues. All these arguments are completely ***hypocritical*** because Morris' junior partner, **Alex Hayes, Esq.**, who was present at the meeting, and his firm of **Withey Morris** are currently in a legal battle in our state legislature over **HB# 2674**. This bill would eliminate municipal zoning laws allowing conversion of single family lots to become something else, such as multi-unit complexes. Withey Morris is ***fighting to not let this bill become law***, because they wish to ***preserve*** the zoning

laws for single family lots! Isn't the irony rich? The March/April edition of AZRE lays out why Alex Hayes, and his law firm want to preserve the zoning laws, protecting single family home lots, because zoning changes have a "substantial impact on the look and feel" of residential neighborhoods.

Our street, our neighborhood is vehemently against this attempted bulldozing of the zoning rule, to destroy our community, to put an ugly multi-unit office complex with a 23 car garage on the corner lot of a dangerous intersection that will only add to traffic, the risk of accidents, and negatively impact the look and feel and home values that Avi/Regal could care less about.

This attempt at rezoning should be voted down for TWO main reasons:

1. We have 59 local homeowners who oppose it. We have only 1 lot owner who is for it (Regal) and no one else on the street supports him. That is an overwhelming majority of those that actually live on the street who do not want this. One lot owner, a Johnny-come-lately, does not get to tell the other 59 that he gets his way because he regrets buying the lot and now thinks he cannot build a family home on it. That argument fails also because all corner homes on Shea have families who in them.

2. Avi/Regal failed to do his due diligence prior to buying the lot. It is not our problem that he spent a lot of money on the lot and now changed his mind and does not want to build a family home. Now he is trying to change the character selfishly. He failed to heed the classic business advice that he knew himself quite well: Let the buyer beware. And his attorney subtlety threatens us that if this rezoning does not occur, his second choice will be a home for Airbnb or a group home, for possibly the drug addicted, or even sex offenders. This is all you need to know that Morris and the client he represents. Disgusting.

Sincerely,

Matthew E. Karlovsky, M.D., F.A.C.S.
480-272-0499 cell

From:	Adrian G Zambrano
To:	Adrian G Zambrano
Subject:	Z-43-22-2 - 2022-10-12 - Opposition - Steve Mooney
Date:	Wednesday, October 12, 2022 5:00:38 PM

From: Steve Mooney <tsmooney0489@gmail.com>
Sent: Wednesday, October 12, 2022 2:39 PM
To: Council District 2 PCC <council.district.2@phoenix.gov>
Subject: Rezoning of Parcel on Shea Blvd and 57th Street

I strongly oppose the rezoning of the parcel on Shea Blvd and 57th street.
Commercial development in this neighborhood of Multi- million dollar homes is not acceptable. I understand that the city wants to realize substantial revenue from this project.
Our home values will be effected as well as additional traffic congestion to Shea Blvd, the main East/West
Corridor to this neighborhood.

I respectfully request you deny the re-zoning application for the parcel along Shea Blvd. and 57th Street.

Please reply to your intention in this matter.

Steve and Mary Jane Mooney
9840 N 55th Way
Scottsdale, AZ. 85253
****

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Nayeli Sanchez Luna
Paradise Valley Village Planner
City of Phoenix
Planning and Development Department
200 West Washington Street
Phoenix AZ 85003

September 20, 2022

RE: Support for Regal American zoning Z-43-22

Ms. Luna

I currently live at 6120 E Mountain View Road Paradise Valley AZ. I have had the opportunity to review the plans for the upcoming build that is proposed on the corner of 57th and Shea.

This project would be a welcome addition to the neighborhood. I fully support this project and am glad to see the lot being used to its full potential.

Please feel free to reach out with any questions or concerns.

Sincerely

DocuSigned by:
Chris Eymann
3EF9F9BD520E4EC...

9/21/2022

DocuSign Envelope ID: 6B148B7A-16A4-4A49-8CE5-E2D978E8E495

Nayeli Sanchez Luna
Paradise Valley Village Planner
City of Phoenix
Planning and Development Department
200 West Washington Street
Phoenix AZ 85003

September 20, 2022

RE: Support for Regal American zoning Z-43-22

Dear Ms. Nayeli Sanchez Luna

I am the current resident at 6421 E Ironwood Drive Paradise Valley AZ.

Mr. Azoulay and his team have sent over the proposed new project on the corner of 57th and Shea.

The new build is certainly architecturally appealing and would be a nice addition to that corner. With the high traffic along Shea, it seems very logical to put this type of building on that site. I am in full support of this project and its builder as I have seen their website and they are clearly building using the best materials and practices.

Sincerely

DocuSigned by:
Dustin S. Skaggs
F4CA0BE82053497...

Dustin Skaggs 9/20/2022

Nayeli Sanchez Luna
Paradise Valley Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Sept 20, 2022

Re: Support for Regal American Homes zoning change – Z-43-22

I am building a new home at an adjacent neighborhood and fully support the requested zoning change and proposed construction by Regal American Homes. Upon review of the application that was presented at the zoning meeting, I feel the general look of the project will enhance the surrounding neighborhood. The aesthetics of the project will also be a welcome improvement to some of the older buildings currently on Shea boulevard,

I was initially concerned about the parking access from 57th street but I am very pleased that the builder has listened to neighbor feedback and decided to make the access from Shea instead. I believe that was a reasonable compromise and I appreciate that the builder worked with the community to resolve concerns.

I'm working with Regal American on my current residence and can vouch that they go above and beyond to build a high-quality product worked

Sincerely,

Jack Biltis
8631 N 61st Street
Paradise Valley, AZ 85253

DocuSign Envelope ID: 83230CC3-EBF4-407E-9BED-98ABBC734562

Nayeli Sanchez Luna
Paradise Valley Village Planner
City of Phoenix
Planning and Development Department
200 West Washington Street
Phoenix AZ 85003

September 20, 2022

RE: Support for Regal American zoning Z-43-22

Good Afternoon

My name is Mehul Patel and I live at 6036 E Mountain View Road Paradise Valley AZ. I am the homeowner at the above address and have reviewed the plans for the proposed new build on the corner of 57th Street and Shea Boulevard. I wanted to weigh in and voice my support for the project. The plans and specifications are certainly on par with a top-quality structure that would bring a fresh new look for that corner lot.

Based on the traffic reports and overall layout of the new build it certainly meets the type of occupancy that will increase values and the overall aesthetics of the neighborhood. I am currently living next to an active Air BnB and would really like to see this build as opposed to another transient living quarters project. It has been extremely stressful and created a toxic living arrangement with my neighbors. This build and use would be a welcome addition to the area.

Best Regards

DocuSigned by:
1E0FE73C3B72482...

9/20/2022

BETH TEFILLAH

Nayeli Sanchez Luna
Paradise Valley Village Planner City of Phoenix
Planning and Development Department 200 West Washington Street
Phoenix AZ 85003

October 28, 2022

RE: Support for Regal American zoning Z-43-22 Greetings and Salutations

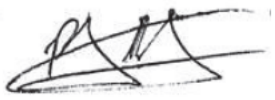
To Whom It May Concern,

I wanted to write this letter and express our support for the upcoming project that is proposed for the corner of 57th and Shea. Our synagogue is located just down the street at 6529 S Shea Blvd Scottsdale Arizona 85254, and I have spoken with my colleagues as well as some of the local parishioners and they think the idea of a commercial space will be a good addition to our neighborhood.

After reviewing the plans and seeing some of the alternate proposed uses that could be built in that space; a locally owned family business office is a good fit.

The proposed plan truly is a good use of the space in our opinion, and we are in support of this project.

Sincerely yours,



Rabbi Pinchas Allouche
Spiritual Leader
Congregation Beth Tefillah

Nayeli Sanchez Luna
Paradise Valley Village Planner
City of Phoenix
Planning and Development Department
200 West Washington Street
Phoenix, AZ 85003

Ms. Sanchez Luna,

It is our understanding that a petition has been submitted to the City of Phoenix Planning and Development Department with electronic signatures of residents purportedly in opposition to Z-43-22. Our signatures appear on that petition, but we wish to retract our supposed opposition to this case and state for the record that our signatures were solicited under misleading pretenses. When we were approached to sign the petition, it was presented to us as opposition to the proliferation of short-term rentals and group homes. We now understand that is not what is being proposed.

We have had an opportunity to review the proposal and believe a residential office is a good use for this property. With the amount of traffic on Shea it's understandable that this property is not well suited for a single-family home. The proposed project would provide a good buffer between the neighborhood and Shea. It appears to have a very high-quality design and aesthetic with a residential feel that would be compatible with this neighborhood.

We support this project. Please remove our names from the opposition petition.

Sincerely,

Gary and Julie Vaughn
5839 E Caron Circle
Paradise Valley, AZ 85253

October 20, 2020 - RE: Support for Regal American Homes Zoning Z-43-22

By signing this document, I am pledging my support to the rezoning case at 10441 N 57th St, Paradise Valley AZ 85253. I have reviewed the plans and presentation for the property and feel this would be a great addition to the neighborhood. It is my opinion that this office would bring less traffic and disruption to the community than a short-term rental. I believe the Residential Office district would be an excellent buffer and protection against further commercial zoning.

	ADDRESS	NAME	SIGNATURE	DATE
1.	5839 E. Caron Crl PV	GARY Vaughn		10/20/21
2.	5839 E. Caron Crl PV	Julia Vaughn		10/20/21
3.	5401 E. Via Los Caballos P.V	Sigal Urman		10/20/22
4.	5401 E. Via Los Caballos P.V	Ronny Urman		10/20/22
5.	5401 E. Via Los caballos PV	Leeor Urman		10/20/22
6.	5401 E. Via Los caballos PV	Yakir Urman		10/20/22
7.	5401 E. Via Los Caballos PV	Hannah Urman		10/20/22
8.	8323 N. Morning Glory PV	David Martin		10/22/22
9.	"	Camilla Martin		10/22/22
10.	"	Maverick Martin		10/22/22
11.	"	Phoenix Martin		10/22/22
12.	"	Hugh Martin		10/22/22
13.	"	Ursula Martin		10/22/22
14.	8100 North 54th Street P.V	Joey Holt		10/23/22
15.	8106 north 54th Street PV	Isabelle Radoi		10/23/22
16.	8100 North 54th Street PV	Joel Holt JR		10/23/22
17.	8100 North 54th Street PV	Deanna Holt		10/23/22
18.	5301 E Vista Rica St PV	Nathan Harrison		10/23/22
19.	5301 E Vista Rica St PV	Ashley Harrison		10/23/22
20.	5301 E Vista Rica St PV	Jackson Harrison		10/23/22
21.	5301 E. Vista Rica St. PV	Beau Harrison		10/23/22
22.	5301 E. Vista Rica St. PV	Andrew Harrison		10/23/22
23.	5301 E. Vista Rica St. PV	Vivian Harrison		10/23/22
24.	5316 E. Vista Rica St PV	Lawrence Finkel		10/23/22
25.	5316 E. Vista Rica, PV	Joni Finkel		
26.	5402 E. Sapphire LN PV	Chris Zamora		10/24/2022
27.	5402 E. Sapphire LN. PV	Alex ZAMORA		10/24/2022
28.	5402 E. Sapphire LN. PV	Bobby Zamora		10/24/22
29.	5402 E. Sapphire LN PV	Katherine ZAMORA		10/24/22
30.	5402 E. Sapphire LN PV	Isabella ZamorA		10/24/22

October 20, 2020 - RE: Support for Regal American Homes Zoning Z-43-22

By signing this document, I am pledging my support to the rezoning case at 10441 N 57th St, Paradise Valley AZ 85253. I have reviewed the plans and presentation for the property and feel this would be a great addition to the neighborhood. It is my opinion that this office would bring less traffic and disruption to the community than a short-term rental. I believe the Residential Office district would be an excellent buffer and protection against further commercial zoning.

	ADDRESS	NAME	SIGNATURE	DATE
1.	5402 E. Sapphire LN PV	Deanna Zavoda	Deanna Zavoda	10/24/22
2.	8555 N. Sendero Tres M PV	Joseph D'Anna	Joe D'Anna	10/24/22
3.	8809 N Via La serena 85253	Amosh Velangi		10-25-22
4.	8809 N Via la Serena 85253	Neha Velangi	Neha	10-25-22
5.	8809 N Via la serena 85253	Aavish Velangi		10-25-22
6.	8809 N Via la Serena 85253	Aarav Velangi		10-25-22
7.	6036 E. Mountain View Rd PV 85253	Mehul Patel		10-25-22
8.	6036 E Mountain View Rd 85253	Seema Patel		10-25-22
9.	6036 E. Mountain View Rd 85253	A Patel		10-25-22
10.	6036 E. Mountain View Rd 85253	Shailen Patel		10-25-22
11.	6427 E. Mountain View Rd 85253	Kristy Pierce	Kristy Pierce	10-27-22
12.	6427 E. Mountain View Rd 85253	Kim Pierce		10-27-22
13.	5115 E. Tomahawk Trail, 85253	Kristen Ryan	Kristen Ryan	10-27-22
14.	6426 E. Turquoise Ave., 85253	Kristen Ryan	Kristen Ryan	10-27-22
15.	5526 E Shangri La Rd 85254	Joe Colborne		10-28-22
16.	5526 E Shangri La Rd 85254	Taryn Colborne	Taryn Colborne	10-28-22
17.	8631 N 61st place pv. 85253	jack bilis.		10 28 2022
18.	5302 E. Vista Rica St, PV, AZ 85253	Julie Linaman	Julie Linaman	10/28/2022
19.	5302 E. Vista Rica St. PV 85253	MATT LINAMAN		10.28.2022
20.	5302 E vista rica St PV 85253	jett Linaman		10/28/22
21.	5302 E vista rica st pv. 85253	Marlow Linaman		10/28/22
22.	6301 E Corrine Dr. Scottsdale AZ 85254	Chad Bellis	Chad Bellis	10/28/22
23.	6301 E Corrine Dr. Scottsdale AZ 85254	Angie Bugal	Angie Bugal	10/28/22
24.	9342 N Morning glory rd P.V	Anita Lilian		10/30/22
25.	9342 N morning Glory PV	Satnil Lilian		10/30/22
26.	6001 E Mountain View Rd	Dead Jackson		10/30/22
27.	6001 E Mountain View Rd	Armeen Delva		10/30/22
28.	[redacted]	[redacted]	[redacted]	[redacted]
29.	[redacted]	[redacted]	[redacted]	[redacted]

October 20, 2020 - RE: Support for Regal American Homes Zoning Z-43-22

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	ADDRESS	NAME	SIGNATURE	DATE
1.	6039 E. Mountain View Rd Paradise Valley AZ 85253	Patrick W. Hogan		10/30/2022
2.	6039 E. Mountain View Rd Paradise Valley AZ 85253	Tiffany Mount Hogan		10/30/2022
3.	8201 N. 53rd St. Paradise Valley, AZ 85253	ELIZABETH BOSWELL		10-30-2022
4.	8201 N. 53rd St. Paradise Valley, AZ 85253	TIMOTHY BOSWELL		10-30-22
5.	8201 N. 53rd ST. PARADISE VALLEY AZ 85253	JOHN BOSWELL		10-30-22
6.	8201 N. 53rd St. PARADISE VALLEY, AZ 85253	Henry BOSWELL		10-30-22
7.	8201 N. 53rd ST. PARADISE VALLEY, AZ	Roger BOSWELL		10-30-22
8.	6303 E Turquoise Ave 85253	Lynette Cooper		10/30/22
9.	6303 E. Turquoise Ave 85253	Kevin Cooper		10/30/2-
10.	6303 E. Turquoise Ave 85253	Nick Cooper		10/30/22
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October 20, 2020 - RE: Support for Regal American Homes Zoning Z-43-22

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	ADDRESS	NAME	SIGNATURE	DATE
1.	8731 N 67st P/V	Uri Shamesh		10/24/22
2.	8731 N. 67th street PV	Melinda Shemesh	Melinda Shemesh	10/25/22
3.	6130 E. NAUMANN DR. P.V	MEIR ZENATI		10/25/22
4.	6130 E. NAUMANN DR P.V	YVONNE ZENATI		10/25/22
5.	6130 E NAUMANN DR P.V	GAEL ZENATI	GAEL. Z	10/25/22
6.	6130 E NAUMANN DR P.V	NOI ZENATI	NOI. Z.	10/25/22
7.	6130 E NAUMANN DR. P.V	ARIEL ZENATI	ARIEL Z.	10/25/22
8.	8144 N 68th st. PV	Shay Segev		10/27/22
9.	8144 N 68th ST PV 85253	Rebecca Segev		10/27/22
10.	9162 N. 70th St. PV. 85253	Jacqueline Kay		10/27/22
11.	9162 N. 70th St. PV. 85253	MARC Kay		10/27/22
12.	6716 E Horseshoe P.V 85253	Adam Finkel		10/27/22
13.	6716 E Horseshoe RD PV 85253	Rachel Finkel		10/27/22
14.	Royal Palm	Ariel Shemesh		10/28/22
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Paradise Valley
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-43-22-2
Revised November 30, 2022

Date of VPC Meeting	November 7, 2022
Request From	RE-43
Request To	R-O
Proposed Use	Residential office
Location	Southeast corner of 57th Street and Shea Boulevard
VPC Recommendation	Approval, per the staff recommendation (Addendum A) with additional stipulations as discussed
VPC Vote	9-5

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

This case was continued from the October 3, 2022 Paradise Valley VPC meeting.

Jennifer Hall left the meeting during this item due to a conflict of interest, bringing the quorum to 14 members.

22 members of the public registered to speak on this item, 10 in opposition and 12 in support.

Staff Presentation:

Mr. Zambrano provided an overview of the rezoning case Z-43-22-2, describing the location, request, surrounding land uses, existing zoning, and General Plan Land Use Map designation. Mr. Zambrano provided background on adopted policy plans that the project would support. Mr. Zambrano then described the proposal, discussing the proposed site plan and elevations. Mr. Zambrano noted letters of opposition and support received since the last Village Planning Committee meeting. Mr. Zambrano concluded by sharing the staff findings, recommendation of approval and the proposed stipulations, noting that the date for general conformance of date stamped plans was changed due to updated plans the applicant provided which reduced the size of the detached garage, and an added stipulation restricting the size of the detached garage.

Applicant Presentation:

Jason Morris, representing the applicant with Withey Morris, PLC, introduced himself and described the architect of this project, Drewett Works, as being an award-winning architecture firm in the Phoenix metro area. Mr. Morris went on to provide an overview

of the site, surrounding commercial uses and the intent of the R-O district as a buffer between arterial streets and residential uses. Mr. Morris then shared the City of Phoenix 44th Street Corridor Residential Office Study, emphasizing that it acts as a buffer between arterial streets and residential. Mr. Morris shared examples of residential office developments and how they function and indicated alternative uses, such as an Airbnb and group home, that could be developed under the existing zoning, which he stated would be more economically viable adjacent to an arterial street. Mr. Morris then summarized the purpose of the detached garage, noting it functioned more as an accessory structure than as an enlarged garage and would only be able to hold up to four vehicles. Mr. Morris discussed the landscape plan, noting that the site would be landscaped well above what a similar residential site would be landscaped, and then shared renderings to emphasize the architecture and landscaping proposed. Mr. Morris continued, providing an overview of their neighborhood outreach since submitting the rezoning application, noting that the petition in support of the project has been updated from 136 to 148 signatures. Mr. Morris emphasized that vehicular access would only be from Shea Boulevard and will be a low trip generating use with only four to eight employees, noting that group homes generate more traffic than the proposed use. Mr. Morris indicated there are nine options for legal U-turns if a driver needed to turn right from 57th Street onto Shea Boulevard in order to make a U-turn to go the opposite direction. Mr. Morris argued that there is no evidence that R-O zoning has a negative impact on property values, noting a case on 37th Street and Shea Boulevard that was rezoned to R-O in 2018 and lots located to the south that are at or above the overall gain in property values within the Phoenix metro area. Mr. Morris clarified that the proposed use is not a commercial use and that they have designed the buildings to ensure it is not a characteristically office or non-residential building and that they have the same character as a contemporary residential building. Mr. Morris concluded by summarizing the project benefits.

Questions from the Committee:

Robert Goodhue asked about the pedestrian access from 57th Street suggesting that customers or visitors can park on 57th Street and then access the office building using that pedestrian access. **Mr. Morris** responded that the pedestrian access is something they will remove because they are not relying upon that access.

Regina Schmidt asked if there are overhead electric lines on Shea Boulevard. **Mr. Morris** responded that he does not believe there are, but he believes there are large lines further west. **Ms. Schmidt** clarified that it would impact tree canopy coverage if there were power lines there. Ms. Schmidt asked what would happen to the property if it were rezoned to R-O and the economy crashed, whether it remain vacant or if it could be converted to a home. **Mr. Morris** responded that the first stipulation is for general conformance to the site plan, so what is shown on the site plan is what must be built, and if there were any deviation from the site plan, they would have to go back through a public hearing process.

Chair Gubser stated that looking at Google Earth, there are no power lines along the site.

Ms. DeMoss read a quote from a letter from a concerned neighbor by the name of Matthew Karlovsky indicating that Mr. Morris did not propose or offer to perform a traffic impact study. **Mr. Morris** responded that Mr. Karlovsky has been at the forefront of the opposition and stated that he did not ask any questions at their meeting and instead chose to send letters to the City. Mr. Morris stated they do have a trip generation study which they have shared with the City, noting that it shows zero trips on 57th Street and that a single-family home would have more traffic impact on 57th Street than this project. **Ms. DeMoss** read another quote from the letter, indicating that the building is a multi-use space. Ms. DeMoss asked if it was going to be anything other than a residential office. **Mr. Morris** responded that he was unsure what Mr. Karlovsky meant but is sure he would be speaking during public comment. **Ms. DeMoss** clarified that it is not a multi-use space. **Mr. Morris** affirmed. **Ms. DeMoss** asked if the detached garage will only ever have four cars, even though it is slated for 23 cars. **Mr. Morris** responded that he is unsure where that number came from but assured there would be no more than four cars in the garage and would be happy to stipulate that. **Ms. DeMoss** asked if Mr. Morris indicated they would build a group home or Airbnb if the property could not be rezoned. **Mr. Morris** responded that those are the two most likely uses of this site under the existing zoning. **Ms. DeMoss** expressed her concerns of the applicant threatening to build a group home or Airbnb if they are unable to rezone the property. **Mr. Morris** clarified those are the alternative uses and clarified that they were not being threatening. Mr. Morris stated that the original owner that sold the property had attempted to build a single-family home when the market was much better and was stuck in the middle. Mr. Morris clarified they wanted to be upfront about what the allowed uses are. **Ms. DeMoss** indicated that there is a lot of opposition from neighbors.

Mr. Wise commented that individuals that lived in the same homes as one another wrote a letter and signed both petitions, which gave the appearance that there was a higher number of people opposing the project than there really is.

Ms. Gerst asked what the required setback is between the garage and the neighbors for R-O and for RE-43. **Mr. Morris** responded that RE-43 setbacks require 40 to 50 feet in the front yard, 30 feet on the side yards, and 40 feet in the rear yard. Mr. Morris stated that R-O can be closer at 20 feet in the front yard, 10 feet on the side yards, and 25 feet in the rear yard. Mr. Morris clarified that the building was shifted further from the south, exceeding RE-43 setbacks. **Ms. Gerst** asked how close the buildings would be to neighbors on either side. **Mr. Morris** responded they are about 20 feet on the south side and about 30+ feet on the east side. **Ms. Gerst** clarified that they are 10 feet closer to the south side than RE-43 setbacks. **Mr. Morris** responded that the detached garage is closer, but the primary building is further away. **Ms. Gerst** asked if the detached garage could be moved so that it is at least 30 feet away. **Mr. Morris** responded that they are willing to look at the site plan and be flexible. **Ms. Gerst** asked about what the applicant has done with the entrance way on 57th Street. **Mr. Morris** responded that they agreed to take away the entrance on 57th Street. **Ms. Gerst** asked if that was part of the site plan now. **Mr. Morris** responded affirmatively. **Ms. Gerst** asked when the setbacks could be implemented to be like RE-43 setbacks. **Mr. Morris** responded if there was a stipulation, it would be addressed during site plan review.

Ms. Petersen asked if those who signed the petition of support live if the adjacent area, as she had noticed many were not in the adjacent area and were from a different zip code. Ms. Petersen asked how those signatures were collected. **Mr. Morris** responded they went through the Shea Boulevard corridor to the north and south to garner support and noted there are addresses in the immediate area as well that signed the petition of support.

Anita Mortensen commended the applicant for going out more than 1000 feet to get signatures. Ms. Mortensen asked how many signatures are within 600 feet of the project. **Mr. Morris** was unsure but stated he could try to break it down. **Ms. Mortensen** indicated there were quite a few signatures from individuals outside of 600 feet. Ms. Mortensen stated she also has a concern with the language that was on the letter to obtain signatures as well as having individuals from the same household sign.

Alex Popovic asked how many people showed up for the community outreach since the last Village Planning Committee meeting. **Mr. Morris** responded that since the last meeting, they have had interaction or meetings with 24 additional members of the community. **Mr. Popovic** asked if those interactions were conducted in-person or virtually, and what the outcome was. **Mr. Morris** responded that they were mostly in-person, and it was an attempt to see what modifications could be made to mitigate concerns of nearby neighbors. **Mr. Popovic** asked if the site plan was changed as a result, indicating the garage seems smaller and highlighting the discussion about getting rid of the pathway on 57th Street. **Mr. Morris** responded that the landscaping was enhanced along the southern boundary by including larger trees. **Mr. Popovic** asked if the setbacks could be changed to be more like RE-43 setbacks along the south. **Mr. Morris** responded that they could as long as they could meet their circulation goals. **Mr. Popovic** indicated that staff has already approved this as the Committee is a recommending body. Mr. Popovic stated that the applicant may need to compromise a little bit more, acknowledging how much they have already compromised.

Chair Gubser clarified that staff has not approved this case, but rather is providing a recommendation for approval.

Ms. Gerst asked if a group home or Airbnb would be permitted in R-O zoning. **Mr. Morris** responded that he understands that R-O zoning would permit a group home but not an Airbnb.

Ms. Sepic referred to the examples of residential office that Mr. Morris had shared and indicated from her personal experience that she believes residential office has really improved corridors along Indian School Road, converting dilapidated lots into attractive single-family home style offices. Ms. Sepic agreed that the applicant should provide an additional 10 feet of setback along the south to provide additional privacy to the neighbors, limit access to Shea Boulevard and remove the pedestrian access from 57th Street. Ms. Sepic commended the heavy landscaping and indicated she would prefer a limited office space over an Airbnb.

Ms. Schmidt asked how many group homes are in the area currently. **Mr. Morris** responded that there are three on 57th Street. **Ms. Schmidt** clarified if the property was

rezoned, it would be able to become a group home by right, but technically not due to the zoning spacing requirements between group homes. **Mr. Morris** clarified that spacing requirements only apply to group homes with more than six residents, which requires a Use Permit, but a group home with six or less residents is allowed by right.

Mr. Sparks asked if the property located to the south is a residence, group home or Airbnb. **Mr. Morris** responded they do know it is not owner-occupied and is a rental, but they do not know the nature of the rental.

Public Comment:

Guy Labelle introduced himself as a neighbor on 58th Street and Mountain View Road opposed to the project. Mr. Labelle expressed concerns with the office being for a major residential developer rather than an office for a homeowner, and the traffic associated with it. Mr. Labelle also expressed concerns with deceived support of the project due to the petition language referring to short term rentals. Mr. Labelle stated that it is impossible to make a U-turn on Shea Boulevard between 56th Street and 64th Street and is concerned that traffic will circulate through the neighborhood to get to the traffic light on 56th Street.

Bryan Long introduced himself as a neighbor opposed to the project. Mr. Long expressed concerns with the method the applicant used to get signatures of support on the petition. Mr. Long indicated there was a similar rezoning case near this property on 58th Street that was denied due to similar concerns and expressed concerns with that case coming back if this request was approved. Mr. Long stated that there are commercial and office uses more appropriately located on 56th Street, and that Mr. Morris' claims are misleading, indicating that there was a single-family home on the property when it was purchased. Mr. Long clarified that there is not a church across 57th Street but rather a single-family home. Mr. Long argued that this property is within three of Scottsdale Unified School District's very best public schools which would keep people interested in the property for single-family use. Mr. Long stated he works in the same industry as the applicant and that the size of the building is much larger than what would be required for three or four employees. Mr. Long believed Mr. Morris had made a threat at the neighborhood meeting that his client would accept an offer to develop a group home, including a halfway house, on the property if it were not rezoned to R-O.

Matthew Karlovsky introduced himself as a neighbor opposed to the project. Mr. Karlovsky expressed concerns with the number of houses along 57th Street compared to the number of signatures on the petition of support, indicating the signatures on the petition are from residents outside of this neighborhood. Mr. Karlovsky noted that many speakers listed to speak in support of the project have a personal relationship or partnership with the developer. Mr. Karlovsky rebutted Mr. Morris' argument, noting that four new homes were built along Shea Boulevard near 61st Place within the last two to three years. Mr. Karlovsky added that Shea Boulevard is too busy for a single-family home is hypocritical because a residential office would make it busier. Mr. Karlovsky stated that he has never met with or been contacted by Mr. Morris, and that Regal American built his home six lots south of this project, yet he has not been contacted by anyone personally. Mr. Karlovsky noted that the application materials dated August 23,

2022, show a 23-car garage, claiming Mr. Morris' statements are false. Mr. Karlovsky argued that vehicular access on Shea Boulevard would be dangerous due to speeds at which vehicles travel and that single-family homes along Shea Boulevard have frontage streets. Mr. Karlovsky indicated that the property rezoned to residential office on 37th Street is not within Paradise Valley, and that there is collectively over 100 million dollars' worth of property value on 56th, 57th, 58th Street that is at risk. Mr. Karlovsky argued that indicating a single-family home would not sell on this property is a false claim because it is a very popular place to live. Mr. Karlovsky noted that a prior resident and her two sons were killed in a traffic accident turning right from 57th Street onto Shea Boulevard when there was much less traffic in 1999, indicating the traffic is much worse now. Mr. Karlovsky reiterated that the 136 people who signed the petition of support do not have any vested interested in the neighborhood. Mr. Karlovsky concluded by expressing concerns with the detached garage being used for client purposes after hours and indicated he would like to donate the rest of his time to Nick Labadie, a Senior Planner at Rose Law Group, that the neighborhood has hired to fight this rezoning request.

Bimal Merchant introduced himself as a concerned neighbor on 57th Street and Mountain View Road. Mr. Merchant expressed concerns with traffic and unwanted attention due to his two young daughters within the neighborhood and indicated most neighbors he has spoken to have the same concerns. Mr. Merchant also expressed concerns with future properties being rezoned if this rezoning request was approved. Mr. Merchant echoed concerns with the those who signed the petition of support not being affected by this rezoning request.

John Brown introduced himself as a resident that lives nearby on Mockingbird Lane and a friend of the developer, in support of the project. Mr. Brown stated he owns buildings like this on major arterial streets in other cities and that he understands that the developer is trying to make the highest and best use for the property. Mr. Brown argued that as a developer and as a homeowner, he would never live or build a home on Shea Boulevard. Mr. Brown believes it would be the greatest use for the lot and given that traffic will be moved from 57th Street and kept on Shea Boulevard and that it would be a benefit for the neighborhood, for the developer and for the City.

Rebecca Segev introduced herself as a resident of Paradise Valley near 68th Street and Mockingbird Place in support of the project. Ms. Segev clarified that the request is for residential office, not for commercial zoning. Ms. Segev argued that this is an opportunity to beautify Shea Boulevard since many people want to build there. Ms. Segev indicated she does not believe this will lower any property values since it will be well-designed. Ms. Segev argued that there would only be a few employees there at a time so she does not see that as an issue and emphasized that the purpose of the design is to showcase what the developer can build. Ms. Segev concluded by reiterating that the project would complement Shea Boulevard.

Mehul Patel introduced himself as a neighbor on 60th Place and Mountain View Road in support of the project. Mr. Patel shared that the developer built his home and complemented his work. Mr. Patel stated that he lives next to a short-term rental property and that he does not want to see other residential properties in the

neighborhood turning into them. Mr. Patel argued that a property on Shea Boulevard would not have a residential home on it that a family would move into and indicated it makes sense to him to have a nice office there. Mr. Patel believed it would beautify that corner and would be a nice entry point into that street that would increase property values. Mr. Patel shared that he has known the developer for many years and believes he would keep to his word in keeping it a small neighborhood office to showcase his homes.

Richard Pasquale introduced himself as a neighbor opposed to the project. Mr. Pasquale stated the neighborhood is dedicated to residential properties and R-O zoning is not consistent with the General Plan Land Use Map designation or with the character of the neighborhood. Mr. Pasquale noted that the tennis club Mr. Morris mentioned is outside of the neighborhood, and that the senior living properties mentioned are large, luxury single-family homes with no signage. Mr. Pasquale shared that the neighborhood consists of quiet residential streets which are not lined with sidewalks and that children, adults and pets go on walks along those streets. Mr. Pasquale expressed concerns with what future office would look like on the property and that the entry could go back onto 57th Street with signage and larger buildings in the future since there is no guarantee that the stipulations will never be removed. Mr. Pasquale was concerned with traffic coming through the neighborhood streets and creating a safety concern. Mr. Pasquale also noted that this is a dark-sky neighborhood with no streetlights, arguing that lighting from commercial signs would not be consistent with the character of the neighborhood. Mr. Pasquale indicated that the renderings show a building which appears residential but omits the proposed signage. Mr. Pasquale requested that Regal American stipulate to limited signage but stated that they refused. Mr. Pasquale echoed concerns of property values. Mr. Pasquale echoed that the property has not been vacant a long time and that there was previously a home on it that was demolished. Mr. Pasquale argued the same quality of design and landscaping could be used to build a new home there, like other new homes on Shea Boulevard. Mr. Pasquale concluded that this lot was purchased for 0.9 million dollars less than a smaller parcel four lots away, arguing that a home built on the property could still make a profit even at a lower price than non-corner lots.

Ronny Urman introduced himself as resident of Paradise Valley on 56th Street in support of the project. Mr. Urman argued that the hours of operation are during normal business hours, indicating that traffic would remain the same and that the residential office would not have a big impact on traffic. Mr. Urman complemented the projects of Regal American Homes and argued that they are beautifying Paradise Valley. Mr. Urman concluded stating that they all care about the neighborhood and that he is in support of improving this empty lot as proposed.

Julie Linaman introduced herself as a resident in support of the project. Ms. Linaman echoed the complements on Regal American’s design and was impressed with the thoughtful design being adjacent to a residential neighborhood, including vehicular access restricted to Shea Boulevard. Ms. Linaman stated the applicant has made every effort to design the office to look like a residence and agreed that this would be the best use for this property. Ms. Linaman argued that it is not realistic to believe there would be interest in a single-family home at this location at this price point.

David Martin introduced himself as a resident of Paradise Valley in support of the project. Mr. Martin shared that he moved into the neighborhood because he was impressed with how nice it was and bought a 40-million-dollar home on Morning Glory Road, indicating he has a vested interest in the neighborhood and in improving this lot. Mr. Martin believed that a single-family home built on a lot like this would be utilized primarily as an Airbnb. Mr. Martin countered others' arguments of opposition, indicating they were exaggerated or false.

Joe Colborne introduced himself as a neighbor on 56th Street in support. Mr. Colborne was surprised at the level neighbors were attacking the applicant. Mr. Colborne echoed that the arguments of opposition are exaggerations. Mr. Colborne indicated the property in question is on Shea Boulevard, which is noisy and contrary to the argument of a quiet neighborhood. Mr. Colborne argued that those who hired a lawyer could have easily bought the property and turned it into a park. Mr. Colborne complemented the design of the building and believed traffic is a very minimal concern and argued that the property owner has a right to propose other uses that would be best for them. Mr. Colborne agreed that if the property were developed as a single-family home, short-term rental developers would likely seek to purchase it.

Jack Biltis introduced himself as a friend of the applicant and resident of Paradise Valley on Doubletree Ranch Road in support of the project. Mr. Biltis believed this is what R-O zoning was designed for. Mr. Biltis believed the opposition mainly came from two former friends, Mr. Karlovsky, and the developer, being aggravated with each other about notice of this project. Mr. Biltis believed they should come together to come up with some compromises, noting that Regal American has made compromises already.

Lissa Erickson introduced herself as a neighbor on 58th Street opposed to the project. Ms. Erickson shared that a new generation of young families are moving into the neighborhood, many of whom stroll by and play on 56th, 57th and 58th Street. Ms. Erickson noted that the neighborhood has unanimously voiced opposition to previous rezoning efforts to maintain the tranquility and quality of life in their low-density community. Ms. Erickson expressed concerns with the effect this rezoning request would have on their quality of life, property values and safety for families and children in relation to traffic. Ms. Erickson concluded that non-resident drivers do not obey the street speed limits and stated that profit should not come at the cost of their community.

Brendan Franks introduced himself as a neighbor in opposition to the project. Mr. Franks stated that the proposed R-O zoned property would be a commercial property and stated that as a commercial property owner he knows commercial services extend beyond normal business hours. Mr. Franks argued this business is selling to consumers and that consumer sales extend beyond normal business hours, specifically in real estate. Mr. Franks cited a recent occurrence of a non-resident speeding and texting while driving that drove into their mailbox, flowerbeds, and front yard, causing $8,000 in damages.

Meaghan Franks introduced herself as a neighbor in opposition to the project. Ms. Franks expressed concerns with safety in the neighborhood if this project were to be

built. Ms. Franks shared they had learned a previous homeowner was involved in a fatal accident, and that she was also involved in a sideswipe accident from a commercial vehicle that was servicing their neighborhood, driving at 50 miles per hour, while she was pregnant and sitting in the turn lane on Shea Boulevard and 58th Street. Ms. Franks shared she was rushed to the hospital to see if their baby was alive, and that she now has a one-year-old child and is still unsure if the accident may have caused any developmental issues. Ms. Franks argued that Shea Boulevard is very unsafe, that she has no interest in the architectural design or lush landscaping, referencing the current water shortage, and expressed her major concerns with safety.

Patrick Van den Bossche introduced himself as a neighbor on 57th Street opposed to the project. Mr. Van den Bossche stated that all neighbors on 56th, 57th and 58th Street are opposed to the project for the reasons previously stated. Mr. Van den Bossche clarified they are not opposed to building on the property, but rather they are opposed to rezoning it.

Nick Labadie, Senior Planner with Rose Law Group, clarified that no one in opposition to the project is inferring that the applicant does not build great homes and that they would in fact welcome the applicant to build one of their great homes on this property. Mr. Labadie stated that five homes have recently sold facing onto Shea Boulevard within 600 feet of the subject site. Mr. Labadie argued that the majority of those in support do not live nearby and that office is not a residential use. Mr. Labadie stated the buildings are well-designed, but the proposed use is not in line with the character of the neighborhood. Mr. Labadie indicated the setbacks as shown on the site plan are not adequate and would be much larger if it were a home, and further stated there would be fewer people coming onto the property if it were a home. Mr. Labadie argued that the zoning is not something that can be taken away and that although they are stipulated to the site plan, they are not stipulated to the use, indicating that the zoning allows for other uses that would have heavier traffic. Mr. Labadie stated that Mr. Morris' comments are misleading, including the notion of a short-term rental use on this property. Mr. Morris indicated that the neighbors are not happy with how this application has been dealt with and that there has been no real effort to work with them. Mr. Labadie further argued that a trip generation study is not a traffic study and concluded that his client, Mr. Karlovsky, does not have any animosity with the applicant, and in fact lives in a home built by the applicant, noting the misleading tactics used.

Applicant Response to Public Comment:

Mr. Morris responded that the opposition from Mr. Karlovsky appears to be personal based on what was heard. Mr. Morris first addressed Mr. Labadie's comments, stating that call centers and veterinary clinics are permitted in the R-O zoning district, and assumed he was looking at the C-O zoning district. Mr. Morris argued that the notion this area is too busy for residential office but not for a single-family home seems contradicting. Mr. Morris stated that he had looked at all recent sales and would like to request the locations of all the homes mentioned that were recently sold along Shea Boulevard. Mr. Morris indicated that the only homes along Shea Boulevard that have recently been sold are protected by a frontage road. Mr. Morris clarified that the uses on the site would be limited to residential office. Mr. Morris further clarified that they are

limited to what is being shown on the site plan, and if there is a change from the site plan, they would be required to go through another public hearing process. Mr. Morris stated that there was an exhibit that showed a large garage without any other uses but indicated that was never the intent. Mr. Morris stated that the architect, having worked with luxury homes, thought the detached garage was for a car collection. Mr. Morris expressed his willingness to stipulate the detached garage to a maximum of four vehicles. Mr. Morris stated that his client has been flexible in all aspects and is going well beyond what would be required of a single-family home. Mr. Morris noted that the property was purchased at the height of the real estate market and was sold at a loss because it could not be utilized for a single-family home. Mr. Morris clarified that the property was purchased with the intent to build an Airbnb or group home if the R-O use did not work, and that the mention of those uses was meant to be transparent rather than a threat. Mr. Morris further stated that those uses are not unfamiliar to this neighborhood, as there are three existing group homes in the area. Mr. Morris questioned the signatures on the petition of opposition, noting that two individuals that signed the petition were misled to believe that the application was for Airbnb's and group homes and that requested their signatures be retracted from the petition. Mr. Morris concluded that this site is an example of what R-O zoning was meant for, as a buffer between an arterial street and residential.

MOTION – Z-43-22-2:

Mr. Sparks motioned to recommend approval of Z-43-22-2, per the staff recommendation. **Mr. Popovic** seconded the motion.

Discussion:

Mr. Goodhue stated that if the application fails, it would be subject to a short-term rental or group home, which the Committee and City cannot control as they are authorized by the State. Mr. Goodhue proposed additional stipulations as follows: 1) The developer shall remove the pedestrian access onto 57th Street, 2) The south and east setbacks shall comply with RE-43 setback requirements, 3) The architecture shall be residential in nature, 4) No parking shall be permitted on 57th Street, 5) A maximum of four vehicles shall be permitted in the detached garage, 6) The developer shall coordinate with the Street Transportation Department to install no U-turn signs at the 57th Street intersection, 7) Hours of operation shall be limited Monday to Friday, 8:00 a.m. to 6:00 p.m., 8) Signage shall be limited to one non-directly lit sign, not to exceed 48 square feet.

Mr. Popovic agreed with the proposed additional stipulations but suggested adding Saturday to the hours of operation stipulation.

Mr. Goodhue stated he had forgot to mention that in his proposed stipulations, suggesting that the hours of operation on Saturdays be allowed from 9:00 a.m. to 12:00 p.m.

Mr. Popovic agreed with the proposed stipulation for hours of operation on Saturdays.

Mr. Sparks requested to hear from the applicant if the proposed hours of operation to be stipulated would still allow operation of the company.

Ms. Sepic stated that after looking at surrounding property owners, it appears there are several investor-owned properties. Ms. Sepic stated she is against Airbnb's and is in favor of this residential office, noting the examples shared by Mr. Morris of well-designed and well-thought-out limited office uses that function as a buffer. Ms. Sepic suggested the applicant consider installing a traffic light at the adjacent intersection. Ms. Sepic also indicated she would like to hear from the applicant on what their hours of operation would be.

Mr. Goodhue clarified that the Committee usually cannot stipulate a traffic light and that it would come from the Street Transportation Department after their review.

Chair Gubser added there may be issues with putting a light at that intersection anyway due to the alignment.

Mr. Morris stated that the stipulations are more restrictive than a single-family home would be. Mr. Morris added that his client is trying to work with the neighborhood to mitigate their concerns. Mr. Morris stated the hours of operation are very limited and there may be some instances they would like some flexibility to start before 8:00 a.m. or later than 12:00 p.m. on a Saturday. Mr. Morris requested flexibility on the hours of operation but indicated they would work with the Village and will abide by the stipulations regardless. Mr. Morris stated they have written down all the proposed additional stipulations and will put it together on a new site plan for the Planning Commission. Mr. Morris then agreed to the signage stipulation.

Mr. Sparks suggested the hours of operation stipulation be modified to permit additional hours of operation by appointment only.

Mr. Goodhue stated it would be hard to enforce hours of operation by appointment only. Mr. Goodhue suggested keeping the stipulation as previously mentioned. Mr. Goodhue clarified the Committee is a recommending body, indicating that the Planning Commission may be able to further enhance the stipulations and that it would also allow the applicant time to think about it so they can have more of a discussion at the Planning Commission hearing.

Mr. Sparks concurred with Mr. Goodhue's comments.

Mr. Popovic stated the Committee is walking a fine line limiting a business' hours of operation, suggesting that the proposed hours of operation stipulation be modified from 8:00 a.m. to 12:00 p.m. on Saturdays to 8:00 a.m. to 2:00 p.m. or 3:00 p.m. on Saturdays.

Mr. Goodhue stated that the reasoning for his proposed additional stipulations is because the neighborhood was very concerned with a business being located there. Mr. Goodhue indicated his suggestions intended to make it more of a residential type of operation so that there was no obvious distinction between this property and a single-

family residence. Mr. Goodhue clarified that they are recommendations, and that the applicant can still make a case upon the Planning Commission and can alter the stipulations.

Mr. Popovic clarified if Mr. Goodhue was proposing to keep the proposed hours of operation stipulation from 8:00 a.m. to 12:00 p.m. on Saturdays as what the Committee preliminarily agrees on to recommend to the City Council.

Mr. Goodhue responded affirmatively, stating that City Council can change the stipulations or delete stipulations if desired.

Chair Gubser asked to clarify if the proposed hours of operation stipulation were 8:00 a.m. to 6:00 p.m. on weekdays and 8:00 a.m. to 12:00 p.m. on Saturdays.

Mr. Goodhue stated it was 9:00 a.m. to 12:00 p.m. on Saturdays. Mr. Goodhue stated that the applicant is not a major home builder, such as Pulte Homes, but rather a custom home builder. Mr. Goodhue did not see any problem with the proposed hours of operation and the operation of the business.

Chair Gubser concurred. Chair Gubser asked Mr. Sparks if he is comfortable with the proposed stipulations, and requested he amend his motion to address the proposed stipulations.

Mr. Sparks agreed with the proposed stipulations, indicating he does believe they are a bit restrictive but that it can be resolved at Planning Commission or City Council.

Mr. Popovic concurred.

Chair Gubser agreed that the hours of operations seemed restrictive and that it could be resolved at Planning Commission. Chair Gubser also shared his concerns on the south and east setbacks complying with RE-43 setbacks, stating it may be a little more restrictive and that the applicant may not be able to achieve the design that they are proposing. Chair Gubser stated this issue could also be resolved at the upcoming meetings.

Chair Gubser requested staff take a roll call for the vote. **Mr. Zambrano** responded that an amended motion would be required and that some of the proposed stipulations may not be enforceable, but as a recommending body the Committee may still recommend the stipulations. Mr. Zambrano indicated the stipulation for setbacks should have an actual dimension rather than referencing RE-43 setbacks. Mr. Zambrano stated RE-43 setbacks are 40 feet in the front yard, 30 feet in the side yards, and 40 feet in the rear yard.

Chair Gubser asked if the south would be 30 feet and the east would be 40 feet.
Mr. Goodhue concurred.

Ms. Sepic stated she thought the discussion was a 30-foot setback on both sides.

Mr. Goodhue stated that he referenced RE-43 setbacks because the neighborhood had indicated they want to keep a residential use and the RE-43 zoning. Mr. Goodhue stated the yards that would be affecting the neighbors would be the south and east yards and if following RE-43 setbacks, the neighbors would have the same view as a home built on the property.

Mr. Popovic asked for clarification that the stipulation to RE-43 setbacks would only be on those two sides.

Mr. Goodhue responded affirmatively.

Mr. Popovic clarified that the proposed stipulation is a hybrid of RE-43 and R-O setbacks.

Mr. Goodhue responded affirmatively.

Ms. Sepic added that a missing stipulation on the screen was for residential architecture in design.

Mr. Goodhue clarified that the no U-turn sign stipulation would be to have the Street Transportation Department take it into consideration so the traffic experts can look at it.

Chair Gubser recommended the hours of operation stipulation for Saturdays be 8:00 a.m. to 12:00 p.m.

Mr. Goodhue indicated that he had mentioned 9:00 a.m. to 12:00 p.m. on Saturdays.

Mr. Popovic suggested to meet in the middle from 8:30 a.m. to 12:00 p.m. on Saturdays.

Ms. Mortensen concurred with 9:00 a.m. to 12:00 p.m. on Saturdays.

Chair Gubser agreed to keep the hours of operation from 9:00 a.m. to 12:00 p.m. on Saturdays. Chair Gubser added that the last missing stipulation was for signage and asked for clarification on the stipulation.

Mr. Goodhue responded that it was to allow only one non-directly lighted sign not to exceed 48 square feet.

Ms. Sepic recommended that the sign still be allowed to be lighted, using downward facing lighting rather than an internally illuminated sign.

Mr. Goodhue concurred, indicating that the intent was to avoid signage lighting to project out into the street.

Chair Gubser stated that a backlit sign would complement the modern design but was fine with the proposed stipulation. Chair Gubser asked Mr. Zambrano for comments on which stipulations could not be enforced.

Mr. Zambrano responded that hours of operation and a maximum of four cars in the detached garage would likely not be enforceable. Mr. Zambrano indicated further clarification is needed from City staff or management on if the no U-turn sign or signage stipulations are enforceable.

Chair Gubser stated that signage is required to go through a permitting process and that the Committee has stipulated hours of operations on previous projects.

Mr. Zambrano stated he will discuss the stipulations with management afterwards but as a recommending body the Committee may still recommend these stipulations.

Mr. Goodhue stated that the stipulation for a maximum of four cars in the detached garage is almost self-enforceable with the design and size of the garage.

Mr. Zambrano asked if Mr. Goodhue would like to stipulate the size of the garage rather than the number of cars in the garage.

Mr. Goodhue responded not necessarily since cars come in varying sizes and mentioned that when considering zoning regulations related to 2-car garages and tandem parking, there are internal dimensions. Mr. Goodhue recommended using those same dimensions to enforce this stipulation.

Ms. Petersen clarified that the internal design of the detached garage is not what the Committee is voting on, and that the applicant can change the internal design. Ms. Petersen stated it was the internal design that limited the number of cars to four.

Mr. Goodhue agreed and added that if stipulating the number of cars to four, it limits the internal design.

Ms. Petersen asked what difference it would make if the stipulation was not enforceable anyways.

Mr. Goodhue responded that inspectors would not be going out to monitor the number of cars in the garage, but rather it would be enforceable during the site plan review process so that it is designed to only fit four cars.

Ms. Sepic believed that stipulation would be too restrictive when the intent of the detached garage was only as a showcase office.

Mr. Goodhue responded that Mr. Morris mentioned four cars and that he will hold him to it.

Mr. Zambrano added that a recommended stipulation from staff was to limit the size of the detached garage to 4,615 square feet.

Mr. Goodhue believed the stipulated size for the detached garage was still very large.

Mr. Popovic concurred that the applicant had verbally agreed to limiting the detached garage to four cars and that the Committee should hold them to that commitment.

MOTION – Z-43-22-2:

Mr. Sparks made an amended motion to recommend approval of Z-43-22-2, per the staff recommendation, with additional stipulations. **Mr. Popovic** seconded the motion.

VOTE – Z-43-22-2:

7-7; motion to recommend approval of Z-43-22-2, per the staff recommendation, with additional stipulations, fails with Committee members Goodhue, Popovic, Sepic, Soronson, Sparks, Wise, and Gubser in favor and Committee members Balderrama, DeMoss, Gerst, Maggiore, Mortensen, Petersen, and Schmidt opposed.

MOTION – Z-43-22-2:

Ms. Gerst motioned to recommend denial of Z-43-22-2. **Ms. DeMoss** seconded the motion.

VOTE – Z-43-22-2:

7-7; motion to recommend denial of Z-43-22-2 fails with Committee members Balderrama, DeMoss, Gerst, Maggiore, Mortensen, Petersen, and Schmidt in favor and Committee members Goodhue, Popovic, Sepic, Soronson, Sparks, Wise, and Gubser opposed.

Discussion:

Ms. Sepic commented that the property directly south of the site in question is an investment property sold on March 29, 2022. Ms. Sepic stated that she would lean towards having a different opinion on this rezoning request had she heard from that property owner that they would be negatively impacted by this request. Ms. Sepic reiterated that she had looked at most of the surrounding properties and discovered they are investment properties. Ms. Sepic reiterated that the R-O zoning district was created as a buffer to transition from residential and added that the surrounding properties do not have R-O zoning but are being used for businesses, such as a short-term rental or group home.

MOTION – Z-43-22-2:

Mr. Sepic motioned to recommend approval of Z-43-22-2, per the staff recommendation, with additional stipulations as discussed. **Mr. Sparks** seconded the motion.

Stipulations listed for clarity:

1) *The developer shall remove the pedestrian access onto 57th Street.*
2) *A minimum 30-foot building setback shall be provided along the south and east.*

3) *The architecture shall be residential in nature.*
4) *No parking shall be permitted on 57th Street.*
5) *A maximum of four vehicles shall be permitted in the detached garage.*
6) *The developer shall coordinate with the Street Transportation Department to install no U-turn signs at the 57th Street intersection.*
7) *Hours of operation shall be limited Monday to Friday, 8:00 a.m. to 6:00 p.m., Saturdays, 9:00 a.m. to 12:00 p.m.*
8) *Signage shall be limited to one non-directly lit sign, not to exceed 48 square feet.*

Discussion:

Ms. DeMoss commented that at least half of the proposed stipulations may not be enforceable. Ms. DeMoss stated she could not support recommending approval because many of those stipulations are not enforceable and because they could be changed from what the Committee recommends.

Mr. Goodhue clarified that the Committee's decision on the rezoning request will be a recommendation that goes to the Planning Commission and that the Planning Commission will sort it out. Mr. Goodhue believed that most of the stipulations would be enforceable. Mr. Goodhue reiterated that the proposed stipulations were meant to mitigate the neighbors' concerns.

Ms. Petersen stated that after listening to and reading both the opposition and support, she would have to continue to vote against it. Ms. Petersen added she understands that the Committee is a recommending body and does not see the value in the Committee if a higher power chooses to overrule the Committee's decision.

Larisa Balderrama asked what happened to quorum to avoid situations of a tie vote.

Chair Gubser stated there is quorum and it is just due to the number of Committee members present.

Mr. Popovic agreed and stated he was unsure what the solution was as it seemed they would not be able to sway votes one way or the other.

Mr. Zambrano suggested another potential motion could be for a continuance.

Mr. Popovic responded that he would not support a continuance and believes the applicant has compromised more than enough to get to this point. Mr. Popovic believed a decision needed to be made by the Committee.

Ms. Petersen added that the community has spent a lot of energy on it as well and that someone could look at the surrounding investment properties to see what their position is. Ms. Petersen stated she would support a continuance or would support it moving forward with a notation that there was serious concern from half of the Committee.

Mr. Popovic argued that there was serious concern from one point of view but serious support from another point of view.

Ms. Petersen clarified that she believes it should be well stated that half of the Committee had serious concerns while the other half had support.

Mr. Popovic agreed and reiterated that he is not in support of a continuance when the applicant has already compromised a lot. Mr. Popovic stated the community had not convinced him except do a degree, and what he cared most about was those in the immediate area rather than further away.

Ms. Petersen asked if the property directly to the south supports this request.

Mr. Popovic responded they did support it.

Chair Gubser asked for clarification on if there was contact from the property owner to the south.

Ms. Sepic responded she was unsure and clarified her only comment was that the property to the south was an investment property and added that the property to the east is a vacant lot. Ms. Sepic believed for those reasons that the stipulation for additional setbacks is irrelevant. Ms. Sepic stated it seemed as though there was mistrust on both sides and clarified that the Committee should only be evaluating if the use of the property and its location fit into the R-O zoning designation. Ms. Sepic argued that the nature of R-O zoning is for low-impact uses, noting that this area is already a high-traffic area. Ms. Sepic reiterated her arguments for being in favor of this project and stated the Committee has a duty to provide the applicant with a decision this evening.

Mr. Popovic concurred.

Ms. Petersen argued that if the Committee's only obligation is to see if they meet the City guidelines for zoning, that it negates any community input, which Ms. Petersen believed was part of the Committee's job as well. Ms. Petersen stated that the people this project would have an impact on must have a voice.

Ms. Gerst agreed.

Mr. Popovic argued the community must have a voice, but that the Committee must also analyze whether they make a case and if it aligns with purpose of the Committee.

Ms. Gerst stated that the Committee is beating a dead horse and is divided. Ms. Gerst stated all that is left to do is to move it forward with a tie vote or to continue it.

Ms. Petersen added she believes the Committee has an obligation to represent the people the project affects.

Ms. Gerst agreed.

Chair Gubser clarified that is the purpose of public comment on the items they hear. Chair Gubser believed the Committee has done everything they could to craft stipulations that would protect the neighborhood from the new development. Chair Gubser stated there was a motion and second and asked for a roll call vote.

Ms. Gerst asked what the motion and second were.

Chair Gubser responded there was a motion and second to approve per the staff recommendation with additional stipulations.

Ms. Gerst asked if the Committee was to vote on a motion that was already voted on previously.

Chair Gubser responded affirmatively.

Ms. Mortensen asked if the vote was taken again and remained a tie if the additional stipulations would be taken into consideration.

Mr. Zambrano responded that the proposed additional stipulations would become part of a public record in the summary minutes and would be summarized on the Village Planning Committee recommendation form that is sent to the Planning Commission.

Mr. Goodhue asked for clarification that if the vote remained a tie, it would mean there is no recommendation, and it would be up to the Planning Commission to discuss it and review the proposed stipulations.

Mr. Zambrano responded affirmatively, indicating the Village Planning Committee recommendation forms would be sent to the Planning Commission which would include the proposed stipulations and staff's comments on which stipulations would not be enforceable.

Mr. Goodhue asked if planning staff would bring it to the Planning Commission's attention rather than the Commission reading it themselves.

Mr. Zambrano responded that is a possibility and that he would discuss that with Racelle Escolar, who staffs the Planning Commission hearings.

Ms. Gerst asked what staff wants the Committee to do, given the lack of community agreement and knowing that proposed stipulations may not be enforceable.

Mr. Zambrano responded the Committee needs to vote to pass a motion, whether it be to approve, deny or continue the case, and clarified the motions can be amended to propose removing certain stipulations or to propose additional stipulations.

Chair Gubser asked if a motion needed to pass tonight.

Mr. Zambrano responded affirmatively.

Mr. Morris stated that is incorrect and that the Committee has the option in the event of a tie vote of making no recommendation.

Chair Gubser asked if the Committee made no recommendation if the case would be able to advance to the Planning Commission.

Mr. Morris responded either way it would advance to the Planning Commission because the applicant is scheduled to be heard at Planning Commission.

Ms. Gerst asked if the Committee continued the case and there was an agreement to the proposed stipulations that are enforceable with the community being involved, that it would be a good solution.

Ms. Petersen concurred.

Mr. Popovic disagreed.

Ms. Sepic added she does not believe the community would be involved regardless of the proposed stipulations. Ms. Sepic added she does not believe it matters which stipulations are agreed upon or how strict they want to be, stating the Committee members are either in support of the rezoning request or are not.
Mr. Popovic concurred.

Mr. Goodhue concurred.

Mr. Popovic reiterated he would not vote to continue it. Mr. Popovic recommended the Committee says they are a tie vote and pass it on to the Planning Commission.

Ms. Gerst stated the Committee will listen to the community and to the applicant and indicated they want the decision makers to know that there are issues that the Committee wants to be addressed.

Ms. Schmidt echoed Ms. Mortensen's concerns of the Planning Commission being able to see the additional stipulations. Ms. Schmidt stated it makes her nervous if it were to proceed undecided by the Committee and the additional stipulations were not addressed. Ms. Schmidt stated with that in mind, she is considering changing her vote.

Ms. Petersen stated she does not believe she could change her vote due to the uncertainty of several of the proposed additional stipulations being enforceable.

Mr. Popovic stated to keep in mind that the Committee is only a recommending body.

Ms. Petersen understood but did not understand the function of the Committee if applicants are able to ignore what the Committee has to say and continue along in the process.

Mr. Popovic clarified that the Committee's function is to get on the record to hear what the community thinks, which will be taken into consideration. Mr. Popovic stated the Committee provides input to help higher powers make their decisions.

Chair Gubser clarified which stipulations he believes would be enforceable.

Mr. Goodhue added that based on his 40 years of experience in City government, and 20 years of experience with the City of Phoenix government, he believes the only stipulation that would be hard to enforce would be the hours of operation. Mr. Goodhue added that the Street Transportation Department would decide on the no U-turn sign and no parking signs.

Ms. Gerst reiterated that it is important to state that the Committee has concerns. Ms. Gerst clarified the stipulations are good but would still oppose it due to those concerns.

VOTE – Z-43-22-2:

9-5; motion to recommend approval of Z-43-22-2, per the staff recommendation with additional stipulations as discussed, passes with Committee members Goodhue, Mortensen, Popovic, Schmidt, Sepic, Soronson, Sparks, Wise, and Gubser in favor and Committee members Balderrama, DeMoss, Gerst, Maggiore, and Petersen opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

VPC recommended stipulations:

1. The development shall be in general conformance with the site plan date stamped ~~August 19, 2022~~ NOVEMBER 2, 2022 and elevations date stamped ~~August 19, 2022~~ NOVEMBER 2, 2022, with specific regard to the inclusion of metal fascia, wood finish, and stone veneer walls or split face block, as modified by the following stipulations and approved by the Planning and Development Department.

2. THE DETACHED GARAGE STRUCTURE SHALL NOT EXCEED 4,615 SQUARE FEET IN SIZE.

~~2.~~ The maximum building height shall be 23 feet.
3.

~~3.~~ A minimum building setback of 15 feet shall be provided along the south
4. property line.

~~4.~~ A minimum 10-foot landscape setback shall be provided along the east
5. property line and planted with minimum 2-inch caliper trees placed 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

~~5.~~ 6. The south landscape setback shall be planted with minimum 50 percent 2-inch caliper and minimum 50 percent 3-inch caliper large canopy, drought tolerant trees, as approved by the Planning and Development Department.

~~6.~~ 7. The north landscape setback shall be planted with minimum 50 percent 2-inch caliper and minimum 50 percent 3-inch caliper large canopy, drought tolerant trees, as approved by the Planning and Development Department.

~~7.~~ 8. The front yard setback along 57th Street shall be planted with minimum 50 percent 2-inch caliper trees, minimum 25 percent 3-inch caliper trees, and minimum 25 percent 4-inch caliper trees to be placed 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

~~8.~~ 9. The developer shall maintain the exiting detached sidewalk landscape area located between the back of curb and sidewalk along Shea Boulevard and replenish it to the following standards, as approved by the Planning and Development Department.

a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees to provide a minimum 75% shade.

b. Drought tolerant shrubs and vegetative groundcovers maintained to a maximum height of 24 inches to provide a minimum of 75% live coverage at maturity.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

~~9.~~ 10. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast parking and drive aisle surfaces, as approved by the Planning and Development Department.

~~10.~~ 11. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper size large canopy drought tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25 percent shade at maturity, as approved by Planning and Development Department.

~~11.~~ 12. A minimum of 4 bicycle parking spaces shall be provided through Inverted U and/or artistic racks dispersed throughout the site and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.

~~12.~~ 13. The developer shall dedicate minimum 55-feet of right-of-way and a 10-footwide sidewalk easement for the south half of Shea Boulevard, as approved by the Planning and Development Department.

~~13.~~ The developer shall construct all streets within and adjacent to the
14. 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.

~~14.~~ In the event archaeological materials are encountered during construction,
15. 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.

~~15.~~ Prior to preliminary site plan approval, the landowner shall execute a
16. 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.

17. THE DEVELOPER SHALL REMOVE THE PEDESTRIAN ACCESS ONTO 57TH STREET.

18. A MINIMUM 30-FOOT BUILDING SETBACK SHALL BE PROVIDED ALONG THE SOUTH AND EAST.

19. THE ARCHITECTURE SHALL BE RESIDENTIAL IN NATURE.

20. NO PARKING SHALL BE PERMITTED ON 57TH STREET.

21. A MAXIMUM OF FOUR VEHICLES SHALL BE PERMITTED IN THE DETACHED GARAGE.

22. THE DEVELOPER SHALL COORDINATE WITH THE STREET TRANSPORTATION DEPARTMENT TO INSTALL NO U-TURN SIGNS AT THE 57TH STREET INTERSETION.

23. HOURS OF OPERATION SHALL BE LIMITED TO MONDAY TO FRIDAY, 8:00 A.M. TO 6:00 P.M., SATURDAY, 9:00 A.M. TO 12:00 P.M.

24. SIGNAGE SHALL BE LIMITED TO ONE NON-DIRECTLY LIT SIGN, NOT TO EXCEED 48 SQUARE FEET.

Staff recommends that Stipulation Nos. 17, 18, 19, and 21 be modified for clarity.

Staff recommends that Stipulation No. 20 be modified to require that the developer apply for an on-street parking zone to prohibit on-street parking along 57th Avenue adjacent to the subject site.

Staff recommends the deletion of Stipulation No. 22, per the Street Transportation Department, as adding a U-turn restriction may perpetuate the same type of movement at the signalized intersection to the west between two arterial streets.

Staff recommends the deletion of Stipulation No. 23 as hours of operation are difficult to enforce.

Staff recommends the deletion of Stipulation No. 24, per the Signs Section of the Planning and Development Department, as the proposed development will be subject to the sign standards of the Phoenix Zoning Ordinance.

ATTACHMENT G

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

To: City of Phoenix Planning Commission **Date:** December 1, 2022

From: Racelle Escolar, AICP
Principal Planner

Subject: ITEM NO. 6 (Z-43-22-2) – SOUTHEAST CORNER OF 57TH STREET AND SHEA BOULEVARD

The purpose of this is memo is to recommend modifications to the additional stipulations added by the Paradise Valley Village Planning Committee, and to convey additional correspondence that has been received regarding this rezoning request.

Rezoning Case No. Z-43-22-2 is a request to rezone 1.37 acres from RE-43 (One-Family Residence) to R-O (Restricted Commercial) to allow a residential office.

The Paradise Valley Village Planning Committee (VPC) heard this request on November 7, 2022, and recommended approval, per the staff recommendation with additional stipulations, by a 9-5 vote.

The Committee recommended eight additional stipulations, in addition to the staff recommended stipulations per the Addendum A Staff Report. Staff recommends the following:

- Deletion of Stipulation No. 17 regarding removal of pedestrian access from 57th Street. This stipulation conflicts with several City policies and design guidelines that promote and require pedestrian and accessibility enhancements to new development.
- Modification of Stipulation Nos. 18, 19, and 21 for clarity.
- Modification of Stipulation No. 20 to require the developer to apply for the on-street parking zones program to prohibit on-street parking along 57th Avenue adjacent to the site.
- Deletion of Stipulation No. 22, per the Street Transportation Department recommendation, as adding a U-turn restriction may perpetuate the same type of movement at the signalized intersection to the west between two arterial streets.
- Deletion of Stipulation No. 23, as hours of operation are difficult to enforce.
- Deletion of Stipulation No. 24, as the proposed development will be subject to the sign standards of the Phoenix Zoning Ordinance for nonresidential activity in a residential district.

Enclosed with this memo are the following correspondence received after the publication of the Addendum A Staff Report:

- One letter requesting that the case is remanded back to the VPC,
- One letter from a VPC member providing input on the case and the VPC meeting.
- Seventeen letters of opposition, and
- Four letters of support and one petition.

The letters of opposition cite concerns with traffic congestion and safety, pedestrian safety, commercial uses, traffic in an established residential neighborhood, crime, incompatibility with a residential neighborhood, property values, availability of nearby commercial locations, precedent set for surrounding properties by approving the rezoning request, and accusations made against a Paradise Valley Village Planning Committee member that voted in favor of the case having a conflict of interest. The letters of support indicated that the proposed project has a high-quality design, including architectural features that would be compatible with the neighborhood, it would develop a vacant property adjacent to a major arterial street, and is the best use for the property given alternative uses, such as a short-term rental or a group home.

Staff recommends approval, subject to the stipulations below:

1. The development shall be in general conformance with the site plan date stamped ~~August 19, 2022~~ NOVEMBER 2, 2022 and elevations date stamped ~~August 19, 2022~~ NOVEMBER 2, 2022, with specific regard to the inclusion of metal fascia, wood finish, and stone veneer walls or split face block, as modified by the following stipulations and approved by the Planning and Development Department.

2. THE DETACHED GARAGE STRUCTURE SHALL NOT EXCEED 4,615 SQUARE FEET IN SIZE.

~~2.~~3. The maximum building height shall be 23 feet.

~~3.~~4. A minimum building setback of 15 feet shall be provided along the south property line.

~~4.~~5. A minimum 10-foot landscape setback shall be provided along the east property line and planted with minimum 2-inch caliper trees placed 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

~~5.~~6. The south landscape setback shall be planted with minimum 50 percent 2-inch caliper and minimum 50 percent 3-inch caliper large canopy, drought tolerant trees, as approved by the Planning and Development Department.

~~6.~~7. The north landscape setback shall be planted with minimum 50 percent 2-inch caliper and minimum 50 percent 3-inch caliper large canopy, drought tolerant trees, as approved by the Planning and Development Department.

~~7.~~8. The front yard setback along 57th Street shall be planted with minimum 50 percent 2-inch caliper trees, minimum 25 percent 3-inch caliper trees, and minimum 25 percent 4-inch caliper trees to be placed 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

~~8.~~9. The developer shall maintain the exiting detached sidewalk landscape area located between the back of curb and sidewalk along Shea Boulevard and replenish it to the following standards, as approved by the Planning and Development Department.

a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees to provide a minimum 75% shade.

b. Drought tolerant shrubs and vegetative groundcovers maintained to a maximum height of 24 inches to provide a minimum of 75% live coverage at maturity.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

~~9.~~ 10. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast parking and drive aisle surfaces, as approved by the Planning and Development Department.

~~10.~~ 11. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper size large canopy drought tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25 percent shade at maturity, as approved by Planning and Development Department.

~~11.~~ 12. A minimum of 4 bicycle parking spaces shall be provided through Inverted U and/or artistic racks dispersed throughout the site and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.

~~12.~~ 13. The developer shall dedicate minimum 55-feet of right-of-way and a 10-footwide sidewalk easement for the south half of Shea Boulevard, as approved by the Planning and Development Department.

~~13.~~ 14. 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.

~~14.~~ In the event archaeological materials are encountered during construction, the
15. 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.

~~15.~~ Prior to preliminary site plan approval, the landowner shall execute a
16. 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.

17. ~~**THE DEVELOPER SHALL REMOVE THE PEDESTRIAN ACCESS ONTO 57TH STREET.**~~

18. A MINIMUM 30-FOOT BUILDING SETBACK SHALL BE PROVIDED ALONG THE SOUTH AND EAST **PROPERTY LINES.**

19. ~~**THE ARCHITECTURE SHALL BE RESIDENTIAL IN NATURE.**~~ **THE ELEVATIONS SHALL CONTAIN DESIGN ELEMENTS OF RESIDENTIAL CHARACTER, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**

20. ~~**NO PARKING SHALL BE PERMITTED ON 57TH STREET.**~~ **PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE DEVELOPER SHALL APPLY FOR THE ON-STREET PARKING ZONES PROGRAM IN ORDER TO INSTALL NO PARKING SIGNS ALONG 57TH STREET ADJACENT TO THE SUBJECT SITE.**

21. **THE DETACHED GARAGE SHALL HAVE** A MAXIMUM OF FOUR ~~**VEHICLES SHALL BE PERMITTED IN THE DETACHED GARAGE.**~~ **PARKING SPACES, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**

~~22.~~ ~~**THE DEVELOPER SHALL COORDINATE WITH THE STREET TRANSPORTATION DEPARTMENT TO INSTALL NO U TURN SIGNS AT THE 57TH STREET INTERSETION.**~~

~~23.~~ ~~**HOURS OF OPERATION SHALL BE LIMITED TO MONDAY TO FRIDAY, 8:00 A.M. TO 6:00 P.M., SATURDAY, 9:00 A.M. TO 12:00 P.M.**~~

~~24.~~ ~~**SIGNAGE SHALL BE LIMITED TO ONE NON DIRECTLY LIT SIGN, NOT TO EXCEED 48 SQUARE FEET.**~~

Enclosures:
Correspondence (60 pages)

Racelle Escolar

From: Meaghan Franks <meaghanrm@gmail.com>
Sent: Wednesday, November 30, 2022 4:58 PM
To: Joshua Bednarek; Racelle Escolar
Cc: Alan Stephenson; Council District 2 PCC; Matthew Karlovsky, M.D., F.A.C.S.; Brendan Franks
Subject: Rezone Case: Z-43-22-2 Request

Josh,

Thank you for your time today.

After discussions with our neighbors and legal counsel, we strongly request the Planning Commission refuse to hear the case tomorrow evening and **instead remand it back to VPC for proper reconsideration due to conflict of interest from Anna Sepic**. Additionally, we request that Ms. Sepic be recused from the reconsideration meeting. We do not feel that we had a fair, clean or conflict-free hearing. The VPC made stipulations to the proposal that are not enforceable just to advance the matter out of VPC.

1) This will help alleviate conflict of interest issues and we will be given an opportunity for a fair and clean VPC evaluation and recommendation.

2) If the Planning Commission does not remand the case, we reserve our right to explore other legal options against the City.

Thank you,
Meaghan Franks, Brendan Franks and Matthew Karlovsky

Racelle Escolar

From: PDD Planning Commission
Subject: FW: Case Z-43-22-2

From: J M <jm@catalystcos.com>
Sent: Thursday, December 1, 2022 12:51 PM
To: PDD Planning Commission <pdd.planningcomm@phoenix.gov>
Subject: RE: Case Z-43-22-2

Jennifer Maggiore
480-270-5395

December 1, 2022

City of Phoenix Planning Commission

RE: Case Z-43-22-2

As a committee member of the PV Village Planning Committee, I am writing to offer input on the application to rezone the southeast corner of 57th and Shea.

The conversation around this application differed in tone from the other meetings I have attended. It was highly contentious, with accusations made about how input was collected, whether a few neighbors had drummed up fake opposition, and if supporters were personal friends and colleagues of the individual who owns the property.

The first vote ended in a tie, which would have concluded as no recommendation. A small handful of the most vocal committee members made a motion for a second vote, which again ended in a tie. There was a motion for a third vote when one committee member changed her vote, moving this case forward as approved with stipulations.

Since then, we have received ongoing communication from neighbors in opposition of rezoning, and additional information that a new, first-time committee member at this past VPC meeting may have a conflict of interest in support of this rezoning. A few other items of note -

First, one of those vocal committee members in support of additional motions to vote was the member in question. I found the information about her potential conflict of interest compelling enough to inquire with our Village Planner and was told that he could not comment because he was awaiting guidance from their law dept. Multiple requests this past week for a phone call to clarify my questions about the voting process for this case were rebuffed.

Second, we as a committee needed more straightforward guidance on handling a tie vote during the meeting, allowing this vocal group to continue motioning for votes until this item passed.

Last, had that committee member recused herself, this item would likely not have been approved.

I don't know the parcel owner or the committee member in question personally and cannot speak to motives or intentions. I live nearby but not in the neighborhood; I won't feel the impacts the way neighbors will if this item is approved. My world won't change much if this parcel is rezoned or not.

I chose to serve on the VPC to hear residents and contribute to sound decision-making - and that's typically what happens. In this case, my experience of this past meeting did not align with what I've come to expect from the VPC. As part of your decision-making process I am sharing that this item did not receive wholehearted approval.

Thank you for your time.

Jennifer Maggiore, CEO
Catalyst Cos.
480-270-5395

Racelle Escolar

From: akbw@cox.net
Sent: Thursday, November 17, 2022 9:11 AM
To: Racelle Escolar; Alan Stephenson
Subject: Rezoning Case: Z-43-22-2

We have lived in this neighborhood since 1984. As one of the longest residing occupants in this neighborhood, we totally oppose this zoning change.
This property has always been an occupied single family home for many more years than we have lived here.
The buyer bought this property with the full intention of asking for this zoning change. He did not buy it with the contingency that he could obtain this rezoning.
I believe he did not anticipate the response of this neighborhood.
We are a very diverse group and selected this neighborhood mostly due to the large lot sizes and the fact that we have no CCR'S.
In the many years we have lived here we have had no trouble with any of our neighbors and am not aware of any difficulties among other residents.

Although the neighborhood has had many changes over the years and our homes are very diverse it has continued to improve. In the last few years our
property values have soared. Regal homes has bought this solely for their benefit and convenience and not the residents.

Ronald & Anne Weinstock
10405 N. 57th St.
Scottsdale AZ 85353

Racelle Escolar

From: David Biliack <sidebar2013@icloud.com>
Sent: Friday, November 18, 2022 6:53 AM
To: Racelle Escolar
Subject: 57th Street

David Biliack

5700 Bar z Lane
Paradise Valley, AZ 85253

Re: Rezoning Case: Z-43-22-2

I hope you will consider the feelings of all the homeowners directly affected by this rezoning who have been tireless in their efforts to defeat the rezoning of this property.

We have lived here since 1985 and raised our three children here. This rezoning is of no benefit to the neighborhood. It will only increase the traffic and congestion.

The residents on 58th St. have already installed speed bumps on their street to reduce the traffic and slow the speed of drivers.

We hope you consider voting in favor of denying this zoning change.

David Biliack

Sent from my iPhone

From:	Brendan Franks
To:	Council District 2 PCC
Cc:	Racelle Escolar; Alan Stephenson; PDD Paradise Valley VPC; Adrian G Zambrano; Mayor Gallego; 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
Subject:	Rezoning Case: Z-43-22-2
Date:	Tuesday, November 22, 2022 6:02:36 PM

Councilman Waring,

My name is Brendan Franks, and presently live at 10006 N. 58th St Paradise Valley AZ 85253 [google.com] with my wife Meaghan and our two children ages 3 and 1.

Our property is 9 lots (under .5 miles) away from the subject property/development and want to make clear we are vehemently opposed to the rezoning effort in our neighborhood.

Our chief concerns focus squarely on two main issues: traffic and safety.

Traffic is already a major concern on Shea both East and West directions at nearly all times of the day and evening.

While heading North on 57th towards Shea to access the Tatum/Shea commercial corridor, making a left is a daunting task. In the morning, commuters on Shea are rushed to get to work making hasty turns and hazardous lane switches, sometimes under traffic lights to inch closer to their destination at any cost. We see this often next to a school located at 56th and Shea, where speed limits of just 15mph are hardly adhered to. In the evening, we hear drag racing.

Adding just one extra vehicle from the proposed redevelopment will only make this dangerous left all but impossible. In fact, after purchasing our home, we learned a previous owner's family was involved in a fatal accident making this exact left turn (Westbound) at 57th and Shea.

Exiting Shea into our neighborhood isn't safer, and unfortunately, we know this firsthand. In 2021, while pregnant, my wife was stopped in the turn lane on Shea and 58th, waiting for a break in traffic to get home and was sideswiped at 50mph. She was rushed by ambulance to Honor Health Scottsdale Shea to see if our baby was still alive. Due to the crash, her car was towed away and needed $15,000 in repairs and $25,000 in emergency medical procedures and monitoring. And yes, the police were called, and the driver was ticketed for speeding, reckless driving, and failure to avoid an accident. We still don't know if this accident inflicted any developmental issues for our now one-year-old.

After doing some research, we learned the individual who purchased the lot in question has residential development projects in Paradise Valley south of us. This creates another commuter drive to the site through our neighborhood of Mountain View, Morning Glory, Sanna, 58th, 57th, and 56th that already have issues with non-residents speeding and snaking through our streets to avoid Tatum or Scottsdale Rd during high traffic hours while children are walking and waiting at bus stops. To that point, from 7-9am M-F, only school buses driving Eastbound are permitted to head South on Morning Glory to reach Doubletree Ranch Rd. With continued speeding and safety issues, further action was taken by the Paradise Valley Police Department: almost without fail, there is a marked police SUV that waits on the corner on Mountain View and 57th every weekday morning. Us neighbors and residents gladly welcome PVPD's efforts to ensure our safety; adding more risky rush hour drivers avoiding traffic is not what we want or need. Despite these efforts, the problem persists.

As a commercial property owner, I know firsthand the operational and ownership attention that a building of this size needs. Without question, clients, staff, vendors, maintenance, and other service providers will utilize our neighborhood streets to access the proposed site during the day. It's a nonstop carousel to commercial sites; commercial trash, commercial deliveries, commercial Fedex/UPS, commercial lawn care, janitorial services, etc. Workers at the proposed site will, from time-to-time, want some fresh air. Shea doesn't provide that; they will undoubtedly walk our neighborhoods. This is a major safety issue as strangers will be looking at or into our homes. The increased vehicular and personnel volume is not what is wanted or needed.

We frequently walk, stroll, and wagon, in the precise area where an increase in traffic would limit our family neighborhood outings. When we do walk outside, we always go into the neighborhood, away from Shea. Three sets of close neighbors on 57th and 58th with children drive to our home so their children will not be hit by speeding cars. We did not ever anticipate having these worries when we moved here. Had we known we would be adding existing hazards with a new, complex layer that included the commercialization of our streets, we wouldn't have moved here two years ago. Simply put, it's too dangerous.

Nighttime use isn't any better. Just two months ago, we heard a knock on our door in the evening from a non-resident cutting through our neighborhood. Our mailbox, walking path and flowerpots in our front yard were destroyed and run over as the driver was speeding and distracted, per my security cameras. (I opted not to file a police report because the driver was a 17-year-old Chaparral Senior) His car was totaled, and we incurred $8,000 worth of damage. We were left with a pile of rubble and worry that they could have plowed into our home. We are living through another accident just months and steps away from the last one. We were terrified.

What if our kids were outside? Why don't others respect our speed bumps? Why didn't he take Scottsdale Rd or Tatum if you don't live here? Why do nonresidents continue to speed and snake through our streets?

This incident and problems at night are not isolated. The rules of statistics say more cars, more accidents, more people, more crime; a harrowing and uncomfortable thought after our neighborhood has already experienced recurring vehicular tragedy. Last week, on October 29th, there was an armed robbery where a resident was held at gunpoint by a nonresident at the corner of 61st and Mountain View. The backyard of the home next door was used as a point of entry; multiple family homes with children were turned into crime scenes. As it relates to the proposed lot to be redeveloped, we do not have the resources as a neighborhood to fend off bad actors using the facility late at night as it is intended. We are a neighborhood at risk.

According to LoopNet and CoStar, "go-to" commercial property databases, there is an overabundance of office space varying in size, building age, rent per square foot, etc. available for rent at the Tatum Shea and Scottsdale Shea intersections. There are also lots available that currently conform to the zoning use proposed. Commercial lots do not start until much further down Shea toward Tatum or Scottsdale Rd, making this a very awkward standalone commercial site, and risks bringing other commercial sites to existing properties with older homes at nearby street corners, including our street on 58th and Shea. If one gets zoning approval, others will follow suit. Commercial real estate likes to be close to other commercial real estate.

The proposed development site at the corner of 57th and Shea, where a home existed until a few weeks ago, is not the "highest and best use" of this lot, a golden rule in commercial real estate. Our neighborhood truly cannot stomach another tragedy. This lot is a residential lot, has been historically, and should remain so in the future. Again, simply put, it really is just too dangerous. This neighborhood has experienced fatal accidents, mother and fetus trauma, armed robbery, and persistent negligent driving. We encourage the future use of this site to conform with existing zoning laws for all the reasons stated above.

Racelle Escolar

From: guylabelle@cox.net
Sent: Monday, November 28, 2022 3:36 PM
To: Racelle Escolar
Subject: FW: zoning case z-43-22-2

From: guylabelle@cox.net <guylabelle@cox.net>
Sent: Monday, November 28, 2022 3:31 PM
To: ppd.lomgrange@phoenix.gov; racelle.escolar@phx.gov; councel.district.1@phoenix.gov
Cc: mayor.gallego@phoenix.gov; council.distrct.3@phoenix.gov; council.distrcit.2@pheonx.gov; council.distrct.4@phoenix.gov; council.distrct5@phoenix.gov; council.distrioct.6@phoenix.gov; council.distrct.7@phoenix.gov; council.distrct.8@phoenix.gov
Subject: zoning case z-43-22-2

Hello Folks,

My name is Guy Labelle and I live on the corner of mountainview road and 58th street and want to express my strong opposition to the proposed office /residential change in zoning addressed at this zoning meeting of 12/1.

My wife and I have been residents here at 58th street and Mountainview rd for over 45 years and as senior citizens of 78 and 81 we have taken many walks up 57th street and 58th street and have talked to our neighbors many times about the community and neighborhood issues.

We vehemently oppose any change in zoning that can and most likely will increase traffic in our area, create dangerous conditions for our neighborhood , and most importantly change the character and depth of our community spirit.

If this is approved it will open up another chance for an office building on the corner of 58th street and Shea Blvd as well which would only further deteriorate our community.

Among other issues we believe it will cause an increase traffic on 58th street for those clients of the office who would like to go west on shea blvd but cannot make a u turn or risk an accident of making one on Shea.

This would lead them to make a right on 58th street, go down to mountainivew rd and head west to 56th street where they can turn and access a traffic signal with less dangerous outcomes.

Needless to say this will create a dangerous situation for we residents who like to take our daily walks on these streets as well as the children and young adults who play on these streets.

Finally we understand the developer claims that they can build a house on the Shea Blvd property which makes no sense at all. They can build it , rent it, and find a buyer who can use it for either assisted living or short term rentals which is far better than a small commercial office building .

We have spoken to almost everyone in our area who strongly oppose this project and are adamant to stop it.

Thank you for your consideration in this matter.

Guy Labelle

Guy Labelle
5721 East Mountainview rd
Paradise Valley Arizona 85253

Racelle Escolar

From: Matthew Karlovsky, M.D., F.A.C.S. <karlovskym@yahoo.com>
Sent: Monday, November 28, 2022 11:13 AM
To: Racelle Escolar
Subject: Rezoning Case No: Z-43-22-2

Dear Racelle,

I live 6 lots south of the property (a distance of 900 feet per Apple Maps) where the lot owner/applicant has proposed a rezoning change to RO, on the SE corner of Shea and N.57th St. We as neighbors initially had more than 70 who have signed a petition back in September and October, vehemently opposing this rezoning attempt that would negatively change the character, feel and appearance of our street and neighborhood. As of this past week, we have collected approximately 37 more, bringing the total to >100 residents/neighbors who live on N. 57th St or within 1-3 streets to oppose this rezoning request.

Among the residents/neighbors who will be negatively impacted by the rezoning are those who live on N.57th (such as myself), N.56th, N.58th, Mountainview and Montrose/Turquoise/Onyx, I am not aware of one resident who is in favor of this proposal who has publicly supported this commercialization of our quiet paradise valley village. Please see that we as neighbors have demonstrated that the opposition to this rezoning change is real, granular, and consistently strong. I have attended all three VPC meetings online, have walked the streets, spoken with neighbors, helped collect signatures, and engaged legal counsel to assist our case, supported monetarily by many of the neighbors as well. Our counsel is arranging a meeting with Council member Jim Waring for next week so we can also register our opposition.

The reality is that the applicant, Regal American, and his advocate, Jason Morris, have not been able to convince any neighbors why we should support their request to rezone or why the rezoning is supposedly beneficial to our small neighborhood since they began their rezoning process back in June. In fact, they have engaged in a bit of trickery by collecting a petition of >100 signers that mainly include personal friends and personal business associates, as well as people who live far outside the village to feign support for a project that will have no impact on their homes, their streets or neighborhood safety or character. It was evident when their supporters at the 3rd VPC meeting all admitted they live nowhere near the property and are either friends or work with or benefit from Regal American's business. Their lives are not impacted by the outcome of the rezoning. Mine is, my neighbors are, their kids, their teenager drivers, their older parents who walk in the area.

Despite the assertion (without foundation) by Mr Morris, or VPC member Anna Sepic, this rezoning proposal introduces significant risk to our streets. It will necessarily increase traffic to the corner, along an already very busy corridor of east bound Shea. Their proposal to move and open up their private entrance/exit from N.57th St to Shea makes it **MORE**, not less dangerous to enter or exit this property with your car. Traffic on Shea will have to contend with this blind driveway. There is new danger added because of the driver speeds on Shea, the access in and out of the small residential streets of N.57th St and N.58th streets, and the added traffic not just during business hours. As it is now, there are **NO** private entrances directly on Shea on the south side (eastbound) because it is a DANGER for motorists on Shea and those trying to enter or exit such properties. The applicant wants to create a private entrance where it has been already deemed not safe by prior city planners. This breaks a trend of no entrances/exits exit for private lots on east bound Shea. The only private entrances off Shea on this south side are homes with small frontage roads. This area is already too busy for this proposed commercialization. The local area is already clogged up by Mountainside fitness and a small hospital going up

on at Shea/N.52th street. The applicant's proposal creates a new danger that prior city planners purposefully avoided.

The applicant, Regal American, is a luxury home builder, who will undoubtedly bring countless clients to this proposed office space, as VPC member Anna Sepic stated in her letter. These real estate clients would arrive not just during business hours, but also significantly after hours to his proposed 5000 SQFT office complex and 4000+ SQFT all-purpose show room. "After hours" means after 5pm and on weekends for real estate showings, gatherings, events or other such business types of activities with potentially dozens of drivers when our neighborhood is supposed to be quiet during these times. This will add to traffic, noise, and damage the environment in which we are trying to live. If rezoned, there is no way for the applicant to stipulate his weekend or afterhours business activities. It will be impossible for us neighbors to police this property for after-hours activities. The nature of the applicant's proposal, a 2-building project with what was initially submitted as a 23-car garage in their 1st application to the VPC, would break all kinds of precedent for the character and purpose of living in our village. There is simply nothing like this, and it will damage our living environment.

If this rezoning is approved, it will necessarily act as precedent for rezoning for other "border" properties along Shea between N.56th and N. 58th, including the property currently represented for sale by VPC member Anna Sepic on N.56th St and Shea. If this rezoning application is approved, it benefits Anna Sepic and her client as it would become more, not less valuable for a buyer, developer, builder, to then rezone that lot, using this rezoning application as precedent. The mere optics of a conflict of interest, not disclosed to us at the VPC meeting was dishonest. She and her client stand to personally gain from this current rezoning application. Her aggressive support of the rezoning application was quite obvious. Again, she did not reveal this potential conflict of interest to the VPC members nor the public during this 4-hour long meeting. Her vote in favor of this rezoning proposal was a vote for creating new precedent that cannot be reversed. Even if she lives in District 2, she does not live within 1/4 mile of the current property in question. Her personal home and neighborhood are not affected. Our homes and neighborhood are affected. The VPC could not truly act in the interests of the neighbors at the 3rd meeting because Anna Sepic had her thumb on the scale. Undoubtedly, if she had recused her herself, the VPC would have voted against the rezoning, 7-6, instead of it ending in a tie twice.

Similarly, the applicant, and his advocate, will not suffer the negative quality of life changes their project will bring to our small neighborhood. As the owner of that lot, he is well within his right to build whatever he chooses within the establishes zoning rules that we all abide by. Many new single-family homes have been built on N.56 St, N.57th and N. 58th streets in the past 10 years. All these homes abided by the zoning rules in place. **We as the local neighbors are not anti-builder. We are anti-rezoning.** Further to this point, the builder, Regal American, built **my** own home more than 6 years ago, in which I currently live. It is a beautiful structure. He has built many other single-family homes in paradise valley, all presumably within the zoning rules. I became friends with the builder, Avi, through the building process and have introduced him to other friends for whom he is building their luxury home. Regal American has benefited from my friendship greatly. We, as neighbors, now >100, simply do not want Regal to force a rezoning for something that simply does not belong. He is a builder and should be able to design a beautiful single-family home on that lot. His advocate's argument that the corner lot is "too busy" for a family home as the justification to put a 2-building office complex is negated by the reality of other new homes have recently built on Shea between N.57th and N.61st just within the last 4 years. He states no one would want to live on Shea because it is too busy. This is false. There are not only new builds on Shea, but also many renovations along this stretch of Shea as well. That means homeowners investing more money to beautify their homes along Shea. A single-family home on the applicant's lot, would not increase traffic, rather it would maintain the entrance on N. 57th where it is now, and would preserve the purpose and character of the street, as was intended by zoning rules. Whatever stipulations to the property the applicant makes regarding signage, easement or otherwise do not make the neighborhood less dangerous.

The applicant/builder has single handedly created for himself this rezoning situation. He and his advocate simply did not survey the local homeowners either **before** he purchased the lot (on which there was a home for

decades prior to being demo'ed) nor after he purchased it in Sept 2021. The applicant, and/or his advocate, lacked the necessary forethought and insight they should have had as experts in construction and land use as to whether there would or would not be neighborhood opposition. As a luxury home builder, Regal knew or should have known he would likely face strong opposition to the office complexes he desires to build and that it would be an uphill battle because he would have to overcome zoning restrictions which serve a purpose. Zoning restrictions exist for a reason. Mr Morris knew or should have known this as well. That he may not have counseled his client properly on the risks of this lot purchase is their responsibility to bear, which they are trying to shift onto us the local residents. The applicant and/or his advocate failed to heed the primary admonition in business when he bought the lot, "let the buyer beware". The applicant's advocate admitted to us at the meetings that Regal purchased the property with the intention of making it into office complexes. That he is facing opposition by every single neighbor on N.57th and N.58th street and other streets should have been predictable. As Mr Morris stated to us, Regal's 2nd choice alternative, building a luxury home, whether to sell or used as a "VRBO" property would be perfectly acceptable to us neighbors because it would not require a rezoning. In addition, if he does not want to spend the money on building and selling a luxury home, he can sell the lot. These other choices are well within his rights and within the current zoning rules. As we have seen, there are buyers for the lot. After all, Regal bought it from someone else.

Building anything other than what the neighborhood is zoned for will introduce danger, more traffic, risk, and a domino effect of commercialization to our area that they do not have to live with. The applicant and his advocate do not live on our street. Prior rezoning attempts on N.58th street have already failed twice in the past. We are here now to oppose this rezoning to preserve what we have and what we have invested in. Ironically, Mr Morris states that his client wants to build an office complex on this corner and not a house because it's already too busy of a neighborhood. He makes our point. It is already too busy, and his office complex will make it busier. If he were to simply follow the zoning rules and build a home it would help strengthen the character of our neighborhood. Additionally, Mr Morris' 2nd argument, that several homes on N.57th St are already used as VRBO properties or elder care homes and act as quasi-businesses completely ignores that fact that the elder care homes are **in** single family homes, are not busy with traffic, and are appear anonymous. Driving down N.57th street, no one would know which are the elder care homes. **THAT** is the point. And they are quiet. A VRBO home is minimally occupied over the course of the year, even less so that a full-time homeowner, and anonymous looking as well. VRBO properties are all single-family home construction. We need to maintain neighborhood standards and not create precedent with a RO proposal that cannot be reversed. Any rezoning is permanent and will cause a domino effect that will not be reversible. Whatever the current applicant wants to do with his lot if it is rezoned, does not restrict a future buyer of this lot from demo'ing Regal's office buildings and constructing something worse, or applying for full commercial rezoning. There are easily foreseeable negative impacts to this rezoning, and there are always unforeseen negative ones as well. Please preserve our home environment and oppose this. Please do not create a rezoning anomaly that will soon because a new standard that cannot be undone.

Lastly, as Anna Sepic pointed out, the property to the east of Regal's lot and the property directly south on N.57th St are owned by those who did not attend the VPC meetings. This is not to imply that they support the rezoning, as she tried to imply, simply because they did not oppose it at the last VPC meeting. They simply did not attend. But, and very importantly, the remaining lot owner just across the street from Regal's lot, the owners of 10438 N. 57th Street, are OPPOSED to this rezoning and have monetarily contributed to our legal fund opposing the rezoning even though he and his wife did not attend the VPC meetings either. This is telling.

Again, **we are not against the builder, we are against the rezoning.** We are all against the rezoning, now >100 to 1, especially for those that live on N. 57th and N.58th St. The overwhelming majority strongly oppose this even if it were >100 to 2. The applicant had **three** VPC meetings to draw neighbors closer to his proposal. Just the reverse occurred. Opposition has grown exponentially the more neighbors learn about it. Please consider these details in your decision making. We live here. We are the stakeholders that have to live with your

decision. We are vested in preserving our streets, we are affected by this. We opposed this uniformly. This is real opposition. Please protect us as homeowners. Please vote no.

Thank you.

Sincerely,

Matthew E. Karlovsky, M.D., F.A.C.S.
480-272-0499 cell

From:	mike mckee
To:	Alan Stephenson; PDD Paradise Valley VPC; Adrian G Zambrano; 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; Racelle Escolar
Subject:	opposition Rezoning Case: Zed-43-22-2
Date:	Monday, November 28, 2022 11:33:29 PM
Attachments:	image001.png

Councilman Jim Waring and other council members,

RE: Rezoning Case: Zed-43-22-2

Dear Mr. Waring,

I am writing this letter as a concerned homeowner in the Shea and Tatum area. I live on N 58th Street, just south of Mountain View. I would like to voice my strong opposition to this rezoning project. In my opinion, a commercial entity on this site would be completely out of character with the neighborhood. To my knowledge, there is almost uniform opposition to this commercial project from every other neighbor and property owner in the area. It is my understanding that once this lot is rezoned, it could result in it being used for a number of different purposes and that it is not revokable. Again, this would be very much in conflict with the family oriented neighborhood that it is in.

There is already extremely busy traffic on Shea Blvd with spinoff onto the residential streets south of it and this represents practical and real dangers for us with young children and families in the area. There have already been a number of serious accidents in trying to access Shea from the southern residential streets.

It is also my understanding that a committee member has a definite conflict of interest that they should have disclosed, and they should have recused themselves, or at least disclosed, during this discussion (i.e., selling adjacent properties for similar high intensity use where rezoning would favor them disproportionately). It is also my understanding that the support for this project is not from people who live in and around the proposed rezoning area.

To conclude, I would like to express my strong opposition to the rezoning case listed above. I would be happy to discuss this with you personally at your convenience. My cell phone number is 480-798-7379.

I appreciate your attention to this matter.

Yours truly,

Michael McKee, MD, FRCS(C)

Michael McKee, MD, FRCS(C)

Professor and Chairman, Department of Orthopaedic Surgery
University of Arizona College of Medicine - Phoenix
Banner University Medical Center - Phoenix
1111 E. McDowell Rd.
Tower 1, 2nd Floor, #0200066
Phoenix, AZ 85006
602.839.8107 Office
602.839.8068



From:	Niloofar Dehghan, MD
To:	Racelle Escolar; Alan Stephenson; PDD Paradise Valley VPC; Adrian G Zambrano; 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
Subject:	opposition to rezoning - 57th St & Shea
Date:	Monday, November 28, 2022 10:20:48 PM

Councilman Waring, Phoenix Council Members, and Planning committee members:

I live at 9303 N 58th St. I am emailing you about a property that is petitioning to have a change of zoning from residential to a commercial, at the corner of 57 and Shea. This is 0.8 miles from my house. Myself and my husband are adamantly opposed to this rezoning.

Changing the zoning of this property will forever change it and open the door it to becoming a busy commercial property. We specifically bought a property in this area, as it is a quiet residential neighbourhood, to raise our family. We have three small children under the age of four. We do not want a commercial property in our residential area, as it will increase the local traffic, and affect the safety or our residents. Our kids ride their bikes in the area, and I walk the baby in the stroller, neither of which will be safe in a busy area with lots of traffic. As an orthopaedic trauma surgeon I take care of many pedestrians struck by vehicles. I will tolerate to having this brought in our area and put my children at risk. There is also a concern for increased crime with the added traffic, as well as decrease in value of our property.

My husband and I, and a numerous number of our neighbours are adamantly opposed to this. I know there was a planning meeting that some of my neighbours attended. They were told at the meeting that the community wants this. Trust me, we DO NOT.

I am aware that a committee member who owns the property adjacent to this property, and also wants to do a similar rezoning, voted to have this past. I'm not sure how this is legal, or ethical, to have this person involved with the decision making given the obvious conflict of interest.

Please let us know how we can meet to discuss this further.
You can reach me directly at 480-243-2861.

Thank you,

Niloofar Dehghan - MD, MSc, FRCSC
Orthopaedic Surgeon - Trauma and Upper Extremity Reconstruction
Associate Professor - University of Arizona College of Medicine Phoenix
Chief of Trauma and Trauma Fellowship Program Director -
The CORE Institute® - Center for Orthopaedic Research and Education

From:	Santosh Rao
To:	PDD Paradise Valley VPC
Subject:	Rezoning Case No: Z-43-22-2
Date:	Monday, November 28, 2022 6:11:17 PM

To Paradise Valley Village Planning Committee

I live at 10438 N 57th Street, directly across the street from the proposed rezoning. Case No: Z-43-22-2 and am writing to express a ***Strong Opposition*** to the proposed rezoning.

In 2004, my family of four moved from Boston to relocate and make our home in Arizona. After looking around for six months, we found our perfect residence. 18 years later, we are still here. Our kids grew up here and went to Cochise, Cocopah, and Chaparral. This has been home, and we love it just as-is! The proposed rezoning would be so disappointing that it is difficult to explain in words. One of the few select streets in the area that can proudly state that we have a Paradise Valley address, Phoenix City Services, and Scottsdale schools; why should we rezone? It would change the feel of the entire neighborhood and would be the beginning of the ending of the entire feel of the street and neighborhood. In the last several years, the traffic on Shea Blvd has increased significantly and has caused us concerns. The insertion of a commercial business would have further implications and would be unsafe.

There is ***no upside*** to this proposal. Regal American and his attorney state that the rezoning would be beneficial. Beneficial to whom? Other than the developer, no one would benefit from this rezoning. Most, if not all, residents (in the proximity of the rezoned property) ***vehemently oppose*** this, as demonstrated by the signed petitions to oppose and participation in the Council meetings. The people who support this proposal have zero interest in the neighborhood and the lives of the residents and would sign anything since they are friends, business associates, and acquaintances of the developer.

As long-term residents, we ask you to listen to the residents and surrounding neighbors. None of us want this to be a beginning of a commercial tract.

PLEASE DO NOT APPROVE THIS REZONING PROPOSAL.

Sincerely,

Santosh & Praneeta Rao

Residents at 10438 N 57th St, Paradise Valley, AZ 85253

Racelle Escolar

From: Blanca Steber <bsteber3@cox.net>
Sent: Tuesday, November 29, 2022 5:42 PM
To: PDD Planning Commission
Subject: 6. Application #: Z-43-22-2

6. **Application #: Z-43-22-2**

From: RE-43

To: R-O

Acreage: 1.37

Location: Southeast corner of 57th Street and Shea Boulevard

Proposal: Residential Office

Applicant: Jason Morris, Withey Morris, PLC

Owner: 10441 North 57th Street Holdings

Representative: Jason Morris, Withey Morris, PLC

My opposition to the rezoning is that it would change the make up of the community by rezoning it to a commercial lot. Shea already has a lot of traffic running through it. People use Shea to cut through town to get to State Route 51 from Scottsdale. To rezone this property to commercial would increase traffic, people and pollution.

This property is located in a prime residential area. This area is coveted by families with children because of the big lots and great schools in the community. Scottsdale Unified School Districts has the following schools for children 4 y.o. -18 y.o. : Cherokee Elementary, Cocopah Middle School, Chaparral High School.

Paradise Valley is a wonderful community to live in because of the open space and lack of businesses. It is an excellent place to ride bikes, go for walks or run. We have lived in the community since 2009 and love it.

Cordially yours,

Blanca Steber

From:	C Wright
To:	PDD Planning Commission; Racelle Escolar; Alan Stephenson; PDD Paradise Valley VPC; Adrian G Zambrano; 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
Cc:	Camille Swanson
Subject:	Opposition to rezoning SE Corner of 57th St/Shea Blvd; Z-43-22-2
Date:	Tuesday, November 29, 2022 6:13:14 PM
Attachments:	Screen Shot 2022-11-29 at 5.03.12 PM.png Screen Shot 2022-11-29 at 5.09.02 PM.png Screen Shot 2022-11-29 at 5.12.43 PM.png Screen Shot 2022-11-29 at 5.10.07 PM.png Screen Shot 2022-11-29 at 5.10.55 PM.png Screen Shot 2022-11-29 at 5.11.25 PM.png Screen Shot 2022-11-29 at 5.50.07 PM.png Screen Shot 2022-11-29 at 5.47.37 PM.png IssuedPermit2796094.pdf IssuedPermit2736514.pdf IssuedPermit2729238.pdf

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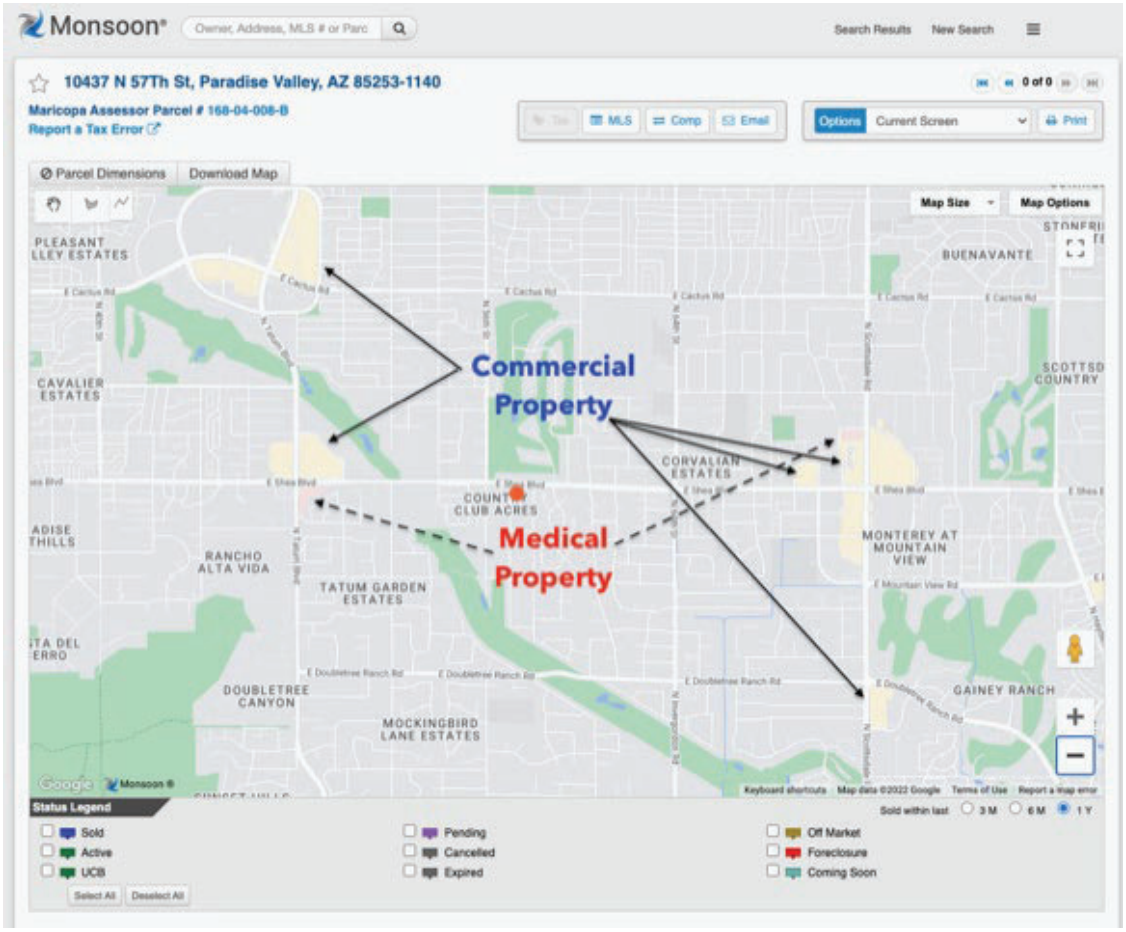
To whom it may concern,

I am opposed to rezoning the land at the SE corner of 57th St & Shea Blvd in Paradise Valley. I'm a realtor & resident living and working in this community. I have concerns:

Rezoning will change the feel of the neighborhood

Our community has many families & kids who need a safe place to walk & ride along the streets on foot or on bikes. A commercial property in that location will bring different people who do not have the same desire to preserve these characteristics.

1. Our area has been solidly residential from the time it was developed, except for parcels of special use (school, places of worship- at 56th St./Shea Blvd.) The parcel was NOT vacant land until last year or 2 after, it sold in 2019 as a singl- family home.
   The 2020 permits issued to demo the house are attached.



1.
2. It appears the owners of 10443 partnered with the owners of 10441. If other adjacent neighbors choose to rezone, that means an additional acre(s) of land could potentially be rezoned commercial.
3. The vacant lot immediately to the east of 10441 has been sitting in a trust since ‘98. I’d think it would be easy to pick up, especially at the costs of the other 2 lots. That would make 3 contiguous lots, 2 fronting Shea.

Rezoning creates a safety hazard

I am concerned about traffic. I’m waiting for the day someone gets hit from behind by a car going 50-60MPH while turning south at 58th St. or someone on 58th St waiting to turn left gets hit by a car turning south that can’t slow down enough to take the turn. This project increases those chances.

1. Per above the commercial properties with frontage on Shea have service roads to turn from. Residential properties do also. Turning from Shea onto 57th St will have less room to make that turn if traveling at a high speed to enter the property. There is no turning lane at 57th or 58th St. as an example, the commercial property at Tatum/Shea has multiple lights, turning lanes, etc.



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1.



1.



1.
2. Also, if visitors miss the driveway into the lot from Shea, they will need to make a U-turn on shea or drive through our neighborhoods to make another attempt in. Both are dangerous.
3. The driveway, as drawn, is too shallow and there's nowhere to go if a car coming from behind can't stop.
4. There are 2 bus stops on either side of this lot (56th/Shea & 58th/Shea). There is too much going on to add more traffic coming/going to that spot.
5. I've lived in this neighborhood for 12 of the 17 years I've been a realtor & have seen terrible accidents. In fact, I attached a few screenshots from Google maps. Just east of our community in a median just east of Montrose/Aberdeen is a memorial of someone who died at that spot in an accident. It has been a reminder to all who drive by it since at least 2018. I saw flowers there last night- in 2022.



1.



1.

Adjacent Commercial property adversely affects property values
I mentioned I have been a realtor in the community. Across the board, homes that are adjacent to commercial lots sell for less. It's a reality that you can see in the sales of homes regardless of the area. Certainly there are degrees of the values being affected, but they are affected.

For these reasons, I request you deny this application to rezone this land. Thank you.

Camille Swanson
5833 E Onyx Ave, Paradise Valley, 85253

C Swanson
camsonwright@gmail.com

Racelle Escolar

From: Ivan Steber <ivan.steber@cox.net>
Sent: Tuesday, November 29, 2022 5:37 PM
To: PDD Planning Commission
Subject: 6. Application # Z-43-22-2

6. **Application #: Z-43-22-2**

From: RE-43

To: R-O

Acreage: 1.37

Location: Southeast corner of 57th Street and Shea Boulevard

Proposal: Residential Office

Applicant: Jason Morris, Withey Morris, PLC

Owner: 10441 North 57th Street Holdings

Representative: Jason Morris, Withey Morris, PLC

This property is located in a prime residential area. This area is coveted by families with children because of the big lots and great schools in the community. Scottsdale Unified School Districts has the following schools for children 4 y.o. -18 y.o. : Cherokee Elementary, Cocopah Middle School, Chaparral High School.

Paradise Valley is a wonderful community to live in because of the open space and lack of businesses. It is an excellent place to ride bikes, go for walks or run. We have lived in the community since 2009 and love it.

My opposition to the rezoning is that it would change the make up of the community by rezoning it to a commercial lot. Shea is a busy thoroughfare connecting Scottsdale's 101 Highway with the 51 Highway. Turning this lot into a business would bring more traffic, pollution and people. We already have an increase of residents during the winter months until spring because of the snowbirds and vacationers.

Paradise Valley needs families moving into the community.

Cordially yours,

Ivan Steber

From:	Peter Aiello
To:	council.district2@phoenix.gov; council.district1@phoenix.gov; council.district3@phoenix.gov; council.district4@phoenix.gov; council.district5@phoenix.gov; council.district6@phoenix.gov; council.district7@phoenix.gov; council.district8@phoenix.gov; Racelle Escolar; Alan Stephenson; PDD Paradise Valley VPC; Adrian G Zambrano; Mayor Gallego
Date:	Tuesday, November 29, 2022 8:05:09 AM

To whom it may concern, I am adamantly against any zone changes that will allow commercial construction on 56th st and Shea. I was born and raised in Phoenix, I have lived on 58th st south of Shea for almost 20 years. The traffic on Shea now is horrible. I am a physician and surgeon who must be able to physically respond to my hospitals within 30 min when called. The traffic is so bad and unpredictable it threatens my job and patients wellbeing. The zone changes that allowed the construction of the New Honors ED on Shea east of Tatum was maliciously and cleverly lobbied for at the detriment of the neighboring citizens that lobbied against it. This process is almost criminal in the way the zoning was engineered and manipulated against the neighborhood wishes. The traffic now is already miserable. I am totally against any commercial development that would further disrupt the traffic with more congestion, parking and noise. P

J. Peter Aiello MD
AzOTS Medical Director
Paiello@azots.com

Rcvd 11/29/2022

Re: Item #4, Z-43-22 rezoning request

Traffic and parking within the subdivision:

I live on 57th Street. Our neighborhood of larger homes is not commercial at all. Neighbors, including children and pets, take walks and bicycle down the sidewalk-free streets. We enjoy the neighborhood we have created in Country Club Acres and don't want increased traffic from a business.

The developer's representative has suggested that entrance to their proposed facility via Shea Blvd will assure this commercial office would not affect the neighborhood streets. However, it has been pointed out that their customers may find parking on 57th street is their preference to avoid exiting the business directly onto Shea Blvd. They then would travel down our quiet 57th Street. This is a sidewalk free street, where children and adults walk and bicycle on a regular basis.

Even those who park on site at this business may drive through our neighborhood after they leave the business, if they wish to head west. Rather than take a risky U-turn on busy Shea Boulevard, business customers may turn right onto 58th St, then again at Mountainview, and again at 56th St to reach the nearest traffic signal. 58th Street also a quiet sidewalk free street, where children and adults walk on a regular basis.

The developer's representative has suggested the office building will only be used roughly from 9 to 5. Yet, he has not denied that the property could often be used for receptions and events in the evening and weekends. The very intent to place the developer's high-end automobiles into a massive garage suggests that this facility could be the site of frequent gatherings with the cars as a focal point. Such events could draw many client vehicles, with parking for those clients overflowing into our neighborhood on 57th and 58th streets. Again, commercial client cars travelling on our quiet sidewalk free streets, where children and adults walk and bicycle on a regular basis.

As one of the many neighbors who enjoys taking frequent walks on the surface of our quiet streets, I am often joined by my 2nd grade granddaughter. I want this neighborhood to remain safe. There was an accident with multiple fatalities at the corner of Shea and 57th Street shortly after I moved here. Memorial crosses were there for a long time.

Please do not allow this danger to come down our street. Please members of this board, do not approve a zoning change harming the character and safety of our neighborhood.

Linda Killian

Racelle Escolar

From: Lissa Erickson <lissa.j.erickson@gmail.com>
Sent: Tuesday, November 29, 2022 5:48 PM
To: PDD Planning Commission
Subject: Commentary on Planning Commission 12/1/22 hearing, Case #6, application Z-43-22-2
Attachments: Rezone application L. Erickson opposition - Attachments -11-29-22.pptx

November 28, 2022

To: The Phoenix Planning Commission

Dear members of the Committee,

My name is Lissa Erickson. I am a homeowner and resident at 10020 N. 58th Street, Scottsdale AZ 85253, part of the Country Club Acres community, living within less than one half mile of the vacant lot on 57th Street and Shea currently under review for a request for rezoning . We have lived in our home for 31 years. I am writing this letter in opposition to Rezoning proposal Z-43-22-2, in which a request is being made to convert this lot from its current RE-43 (single family) designation to RO (Restricted Commercial) designation.

I, and my family, and virtually every resident in proximity to this lot stand in complete opposition to this rezoning attempt. Contrary to the narrative put forward by the applicants for this rezoning, there is nothing but harm that would come to the Country Club Acres community and surrounding neighborhoods from this proposed change. We have collectively tried to articulate to the applicants and the Planning Committee why this is so, but unfortunately a consistently biased rewrite of the issues involved by the applicant has muddled the facts surrounding this application. I ask the Commission to review the information in this letter and other opposing letters provided by residents directly impacted by this proposal; do a thorough fact check of the claims made by the applicant; and reject the rezoning application as both fundamentally unnecessary for successful development of the property, flawed in its justification, and markedly damaging on many fronts, not only for the affected proximate neighborhood but also the greater Paradise Valley Village area to which Country Club Acres belongs.

Briefly a history of our community and how we have reached this point. Country Club Acres is the leading, southern edge of the area known as Paradise Valley Village, the northernmost section of Phoenix (see Attachment 1). Paradise Valley Village is consistently ranked by residents and realtors as one of the best places to live in the greater Phoenix area, in large part because of its proximity to Scottsdale and Paradise Valley; with Country Club Acres being directly adjacent to the Paradise Valley Township, which lies across Mountain View Road. Median home prices in Paradise Valley Village run at approximately $600,000 with a range of $200-$900k - except for one major exception: the homes in Country Club Acres, which now and only recently command prices of $2,500,000 to $5,000,000. There is a reason for that, which ties very closely to Country Club Acres' development history.

Country Club Acres was originally specifically envisioned and chartered as a one-acre plus, single-family residence and horse property community, designed to maintain the rural look and feel of the North/North East Phoenix area within the broader context of a fast growing, newly suburban Phoenix community. Most homes built at that time were quite small, simple ranch-style homes on large lots, on which many homeowners kept horses, barns, and corrals. This semirural character remained intact up through the mid 90's, with many of the original homes remaining in place, either maintained in their original state or, in a number of cases, beginning to show quite a bit of wear and tear. However, during the Great Recession beginning in 2006 – 2008, and then over the next several years until the Phoenix economy truly began to recover, many of the Country Club Acres homes went into receivership or were simply abandoned in place. The quality, safety, and home values in the area dropped precipitously; so much so, that in one case an abandoned home on 57th Street was occupied by drug addict squatters who preyed on our community for almost a full year, before their discovery and apprehension in a manhunt by the Phoenix Police Department. Our community, our safety, the intrinsic value of our homes, badly damaged in this time frame, did not seem likely to ever recover.

But then, beginning in the early years of 2010 to the current date, our neighborhood has seen a complete transformation. Driven by our proximity to Scottsdale and Paradise Valley; Phoenix construction codes; our large lot sizes; favorable school districts; and our 85253 ZIP code, developers found the Country Club Estates area particularly attractive for a remake. Properties were purchased at very low values, the original homes were knocked down, and replaced with large, upscale residences of 5,000-6,000 square feet or more, largely modeled after the designs and quality of the homes of our Paradise Valley neighbors. In less than ten years, property values in Country Club Acres properties skyrocketed from as little as $300-$400k, to more than $2,000,000-$4,000,000 – and more. Sellers, and buyers, redefined perceptions of this area as essentially an extension of Paradise Valley, just one block to our south across Mountain View Road. And in fact, applicants in this current rezoning request have been the beneficiaries of this turnaround, having built a number of the homes in this very area which then sold at very high values.

This extreme turnaround has gone well beyond benefiting new homeowners and property developers. Perceived as a leading edge into the high-end homes in the neighboring Paradise Valley township, our valuations have had a spillover effect on neighboring communities, with developers and potential buyers looking well beyond the Country Club Acres neighborhood for similar urban renewal opportunities. Country Club Estates, directly to the East of our neighborhood, is now experiencing much the same uptick in valuations, albeit on smaller lot sizes. Paradise Valley residents across Mountain View now enjoy a bordering neighborhood with home qualities paralleling their own, rather than vacant or abandoned lots. We, in fact, act as a buffer for that community from Shea, as we continue to press for safer streets and adherence to lower speed limits as traffic comes off Shea into our joint communities. And the City of Phoenix has benefited substantially, as well - not only gaining a perfect roadmap of how urban renewal can be achieved; but also a new, more affluent resident and property tax base, sincerely committed to contributing to continued growth in the success and prosperity of the greater Phoenix area.

However, all the gains to our communities arising out of this success story will be put severely at risk if rezoning request Z-43-22-2 is approved. While the replacement of older, smaller homes with larger upscale residences has certainly contributed to overall gains in the property values in our area, the extreme uptick in valuations we have experienced – in some cases, close to ten times the value of these properties just ten years ago - has been driven, primarily, by the qualitative value the buying market now places on our area, which is in large part driven by their *perceptions*: of the area as an offshoot to our PV neighbors; access to our excellent

schools; and the clear ambience now of Country Acres as a safe, family-oriented neighborhood. Every new homeowner we know in Country Club Estates articulates a sense of their good fortune in finding a home in this newly renovated, neighborly community. They – and 'old school' homeowners like us, who have lived and breathed our community's challenges – take real pride in the rejuvenation of an area which could so easily have taken a different route, and fallen into long term disrepair and devaluation.

All it would take to completely reverse this newly earned renovation, would be a change in the buying community's perception of this area as an upscale, idyllic, offshoot neighborhood of the Paradise Valley and Scottsdale areas. And this perception would most certainly be severely affected by commercial properties – even under the RO designation - encroaching onto the Country Club Acres footprint. I say 'properties' because the Country Club Acres residents and our neighboring communities are under no illusion: if one home in this area is redesignated to the RO zoning provision, more applications for this zoning will be immediately submitted – and, in fact, are already being anticipated in other sales offerings in Country Club Acres (see Attachment 2; but more on this, later).

During prior Committee discussion periods, it has been suggested that the only property owners who would be affected by this rezoning change would be those contiguous to the property. It has also been suggested that the Country Club Acres community needs 'protecting' from Shea, via single residence businesses fronting onto Shea, in a manner similar to buffering in place along Indian School Road; and, in fact, one Committee member used the new Mountainside Fitness compound as a shining example of success along Shea, for this buffering concept in our area. None of these assertions has any basis in fact in Country Club Acres. First, in terms of who would be affected by this change; and how. Country Club Acres and the surrounding communities are experiencing a metamorphosis of our property values specifically because we are seen as a quiet, upscale ***residential*** community, in line with homes in the township of Paradise Valley. There is a reason commercial designations such as that proposed in Z-43-22-2 are so very rare in Paradise Valley: *No one in an upscale property wants to live in a community staring at the backside of a commercial property*. All of our homeowners, particularly our newer members who have relied and invested so heavily in Country Club Acres' renewal, will be vulnerable to the downgrade in perception – and resulting property devaluation - which would drive from any change to Country Club Acres' current zoning from single-family usage, to commercial usage. The applicants' assertions aside, a commercial redesignation – and the precedent this would set for other properties contiguous to this property along Shea – would be a serious blow to the upswing in property values in this area; with no possible recourse or remedy, once commercialization was established. Second, assertions on the part of the applicants that our community needs "buffering" from Shea, is an artificial construct developed by the applicant for the sole and entire purpose of creating a justification for a situation that has solely been inflicted upon our neighborhood, by the applicants themselves: prior to the purchase of this lot by the applicants, a perfectly beautiful residential home existed on this lot [See Attachment 3] – which was only torn down by the applicant *after* their purchase of the lot – creating the very situation that, now, the applicant says our neighborhood needs to be 'protected' against, because of 'empty lots' along Shea. It is hard to see anything but a disingenuous attempt to create the façade of a problem where none exists, solely as a means of justifying a rezoning which our neighborhood neither wants, needs, nor would benefit from. If further proof of the absurdity of the applicants' claim is needed, one need only look at recent home valuations and sales along Shea to see that residential homes directly along this Shea corridor – regardless of a frontage road or not - do, indeed sell, and sell well [See Attachment 4]. The artificial construct of there being no other viable option besides a commercial development for this lot has no basis in fact in the Country Club Acres neighborhood.

I won't speak to the safety concerns inherent in the idea of putting a blind driveway halfway between 57th and 58th Streets; the only correct way to address this would be to obtain a true safety impact study for the site, which had not been done as of the Planning Committee's last meeting, in spite of the applicant's assertions to the contrary. However, the exceedingly confused discussion held in the Committee about the Committee's responsibility to determine what hazards their approval of this application would cause, did raise serious concerns for our family and for our community in terms of the Committee's ability to effectively review this application with an eye to its impact on the surrounding community. Anyone who thinks placing a commercial blind driveway onto Shea with an unknown amount of traffic halfway between 57th and 58th Streets, which are only a tenth of the mile apart, has no understanding of nor regard for the volume of traffic and the high speeds and driving habits of drivers on Shea in this area. It is already difficult not to be rear ended when making a right turn onto 57th and 58th Streets – Speeding Shea drivers are inattentive and regularly 'tailgate' anyone going at legal speed limits on this stretch of the road – and the idea of instructing the new business's customers to cross all lanes of Shea traffic in order to make a U turn on any of the turn lanes into oncoming westbound Shea traffic, as was discussed by the Committee in their last session, only shows too clearly the lack of comprehension the Committee has related to this issue. Their final conclusion – that ultimately it would be up to City traffic control to 'see what comes out of the situation then make any changes necessary' – in other words, using our community as guinea pigs for new accident levels and only then addressing the problems created by this rezoning - only shows more clearly the complete lack of accountability some of the Committee members felt towards addressing the very real safety concerns our community has for our families, our neighbors, and drivers on Shea. If, in response to this concern, the rezoning applicants were to respond that they do not expect to see much customer traffic at their site, we need only look to the applicant's original drawing plans with its 26-car, 4,000 square foot 'garage', to realize that there will, indeed be heavy traffic of some sort out of this facility, regardless of any assertions to the contrary from the applicants.

Beyond the above concerns regarding the extremely negative impact this zoning request would have on our neighborhood ambience, property values, and our very safety, I would also respectfully like to express my extreme discomfort with the procedural failings of the Planning Committee to date in regards to this application. In the last Planning Commission meeting on November 7, 2022 related to this rezoning request:

- Neighborhood opposition speakers were consistently targeted for early cut off before their two minutes' time windows were up;

- Our attorney's representative, who had been donated at least 10 minutes by other neighborhood residents was cut off at the two minute mark and received, at best, only another minute or two in which to speak, clearly harming his ability to represent our community;

- Committee members, when confronted with inconsistencies in the applicants' information and assertions, and articulating their own confusion on these assertions, failed to call for any fact-checking of the applicants' data (or in certain instances, ignored Committee members who did call for this fact checking);

- Committee members said that the hearing was being held to 'approve the rezoning', not to listen to data on both sides of the issue;

- At least one Committee member called all of the very applicable and professional commentary from our residential opposition members 'fluff' that they would not listen to under any circumstances;

- Three of the Committee members, in spite of two clear votes of a tie by the Committee, insisted on continuing revotes, even saying at one point that they would continue to call for revotes until the rezoning was passed;

- A Committee member falsely asserted that the property owner proximate to the south of the 57th and Shea lot, had approved of the rezone – an assertion that is not only absolutely false, but became a key point in their effort to finally sway at least one Committee member to change their vote;

- And failed to hold one of their own members accountable for a blatant conflict of interest related to this case, in which Anna Sepic, the listing agent for another property at 56th and Shea, stands to personally gain by piggybacking off the anticipated commercial rezoning of the property at 57th and Shea [See Attachment 2].

If any one of these issues had occurred – even perhaps two – one might conclude that the Committee did not actively try to bias their discussion in favor of the applicant; but that they were only perhaps ignorant of their own stated proceedings in reviewing zoning cases. But the blatant nature of the above issues, and the consistent lean of all these failings in favor of the applicant, makes it extremely difficult to believe anything but that the Committee was led by some of its membership to a specific decision without an objective, rational, and ethical review of the specific issues relating to this case.

While the City of Phoenix has been called out many times by its citizenry to field an Ethics Committee specifically because of situations like this, and has failed for years to do so, this in no way absolves the Planning Committees and Commission of their responsibility to carry out their duties in an ethical manner with full recognition of their fiduciary responsibility to the citizens of Phoenix. Just because there is no watchdog, does not mean that ethics and accountability can be thrown out the window by a few players in the review chain with a personal agenda.

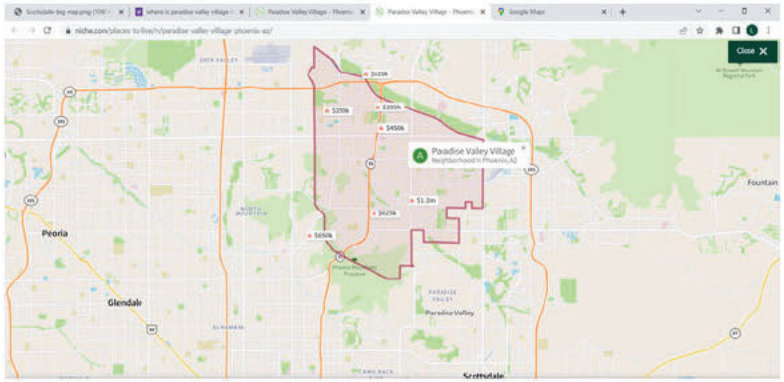
I call on the Planning Commission to follow due diligence in reviewing this rezoning application. I believe, as do my neighbors, our Paradise Valley neighbors, our Country Club Estate neighbors, that this application serves no one but the applicant. There is nothing to be gained, and everything to be lost, by allowing one property owner to benefit at the very real expense of all others in the community. I urge you to do the right thing: protect our community; our property values; our safety; and your own Committee policies, procedures, and standards of accountability, and reject rezoning proposal Z-43-22-2.

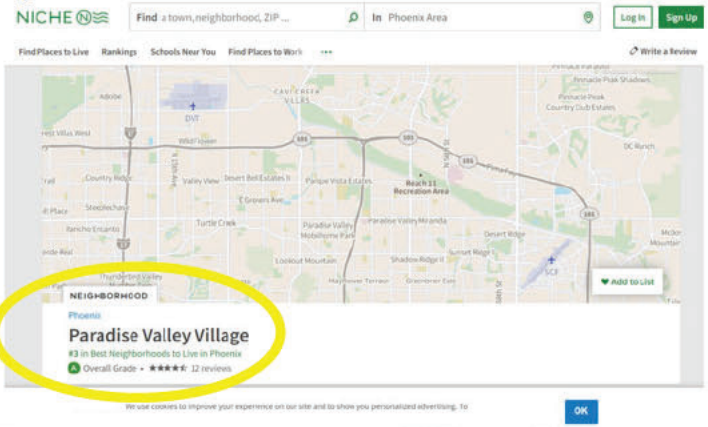
Thank you in advance for your attention to this matter.

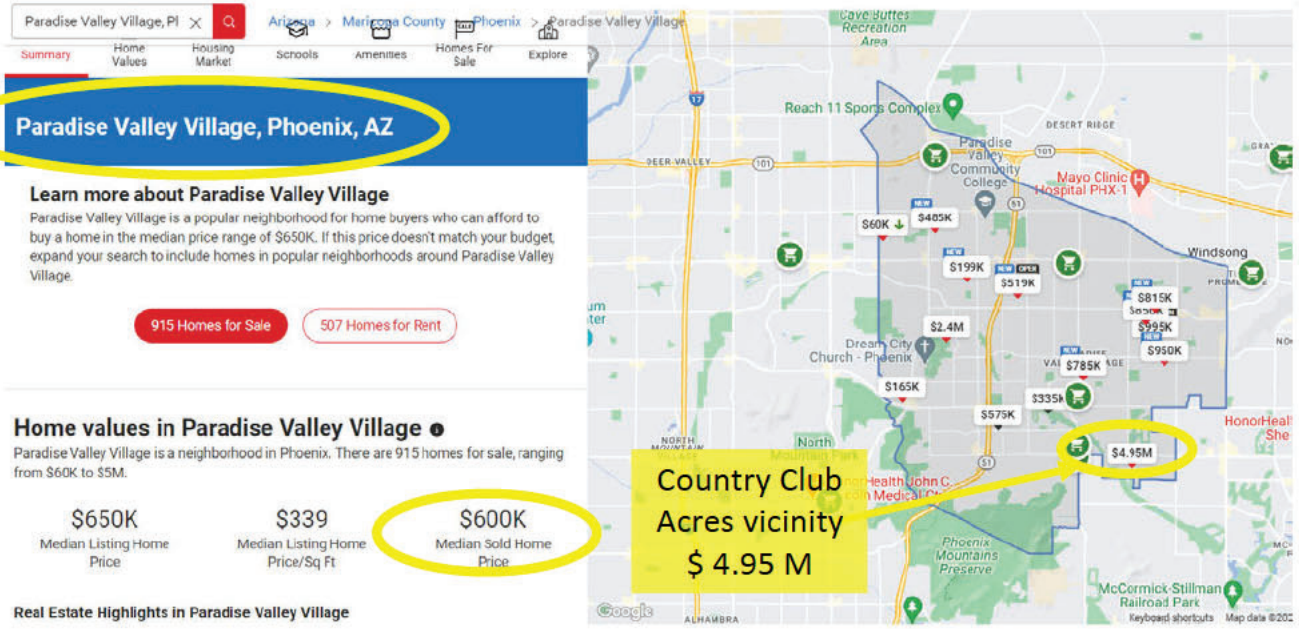
Lissa Erickson

Attachments – Lissa Erickson Opposition Letter
11/29/22
Rezoning Proposal Z-43-22-2

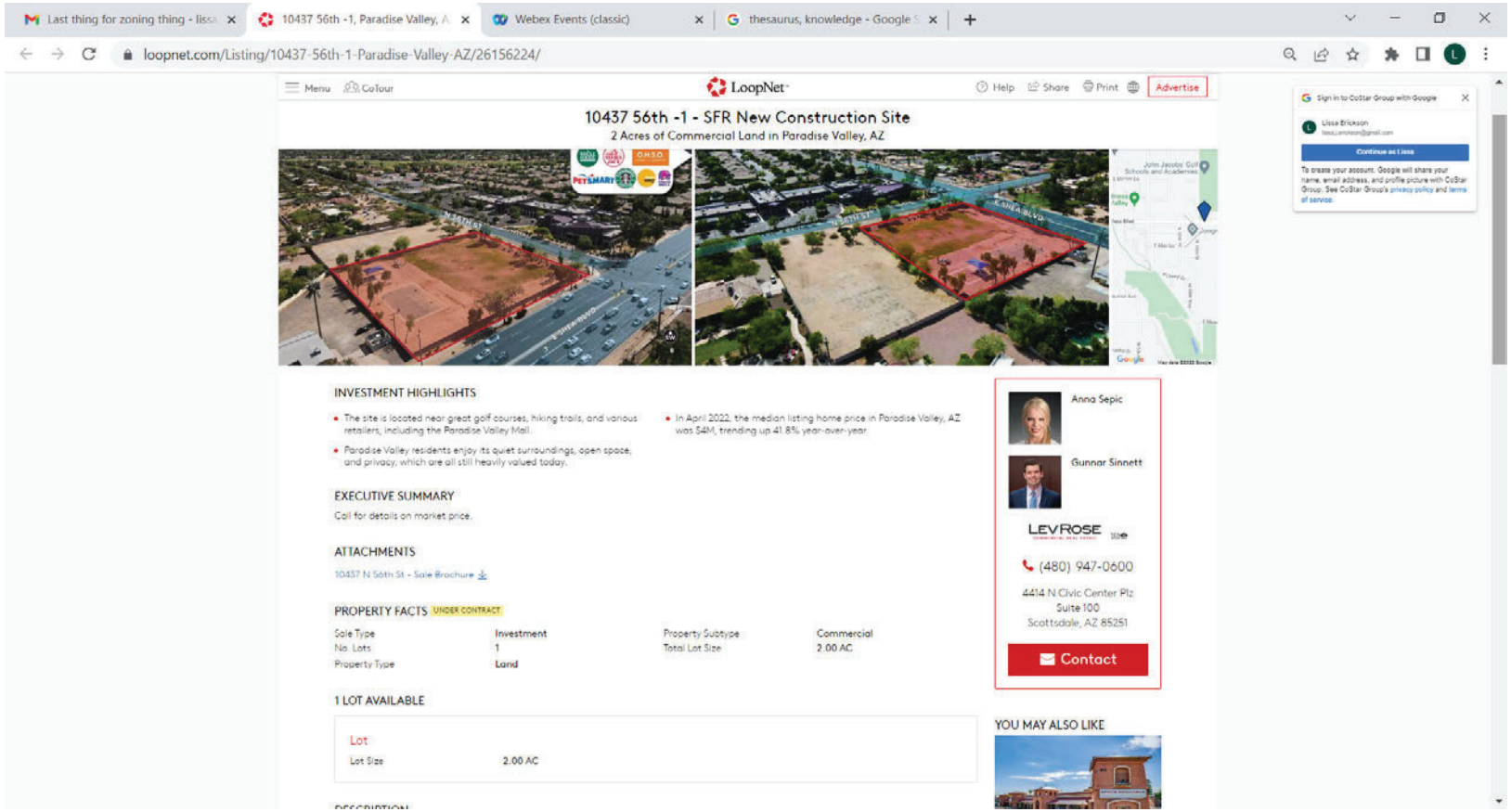
Attachment 1
Paradise Valley Village area of Phoenix + Country Club Acres valuation







Attachment 2 – Listing for property at 56th and Shea, listing agent Anna Sepic



Last thing for zoning thing - lisse | 10437 56th -1, Paradise Valley, A | Webex Events (classic) | thesaurus, knowledge - Google S

loopnet.com/Listing/10437-56th-1-Paradise-Valley-AZ/26156224/

Menu CoTour LoopNet Help Share Print Advertise

10437 56th -1 - SFR New Construction Site

2 Acres of Commercial Land in Paradise Valley, AZ

INVESTMENT HIGHLIGHTS

- The site is located near great golf courses, hiking trails, and various retailers, including the Paradise Valley Mall.
- Paradise Valley residents enjoy its quiet surroundings, open space, and privacy, which are all still heavily valued today.
- In April 2022, the median listing home price in Paradise Valley, AZ was $4M, trending up 41.8% year-over-year.

EXECUTIVE SUMMARY

Call for details on market price.

ATTACHMENTS

10437 N 56th St - Sale Brochure

PROPERTY FACTS UNDER CONTRACT

Sale Type	Investment	Property Subtype	Commercial
No. Lots	1	Total Lot Size	2.00 AC
Property Type	Land		

1 LOT AVAILABLE

Lot	
Lot Size	2.00 AC

DESCRIPTION

Anna Sepic

Gunnar Sinnett

LEVROSE

(480) 947-0600

4414 N Civic Center Plz
Suite 100
Scottsdale, AZ 85251

Contact

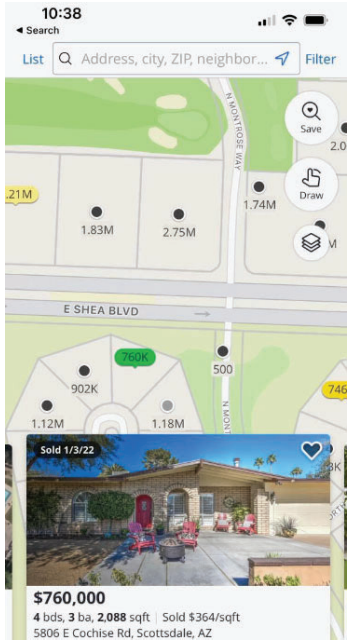
YOU MAY ALSO LIKE

Attachment 3
57th Street home prior to applicant's knockdown

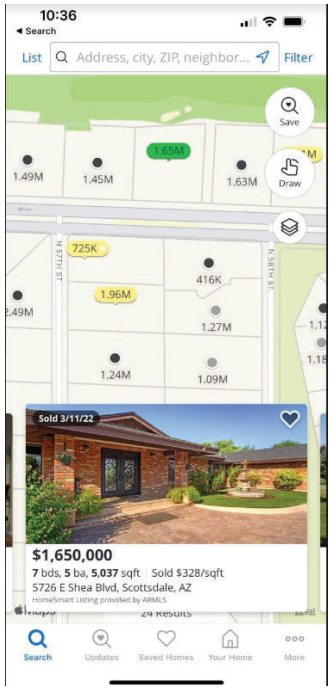
(https://www.zillow.com/homedetails/10441-N-57th-St-Paradise-Valley-AZ-85253/7828055_zpid/?)

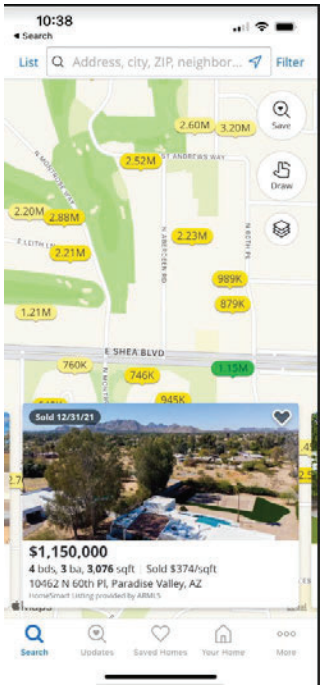


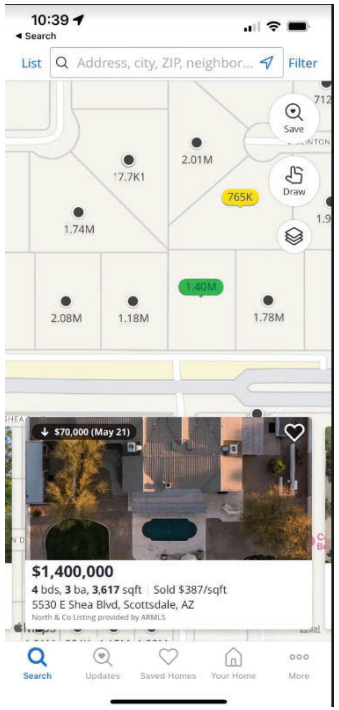
Attachment 4
Recent home sales – Proximate to 57th Street and Shea











Rezoning Case: Z-43-22-2

Councilman Jim Waring,

I **firmly oppose the rezoning of parcel Z-43-22-2** at the SE corner of 57th St. and Shea Blvd. I live at 10006 N 58th St, Paradise Valley, AZ 85253, 0.5 miles away from the proposed rezoning site.

Information communicated to council members and community constituents at the Paradise Valley Village Planning Committee Meeting on November 7th, 2022 on behalf of the Applicant by his attorney Jason Morris were overwhelmingly filled with **false, manipulated, and dishonest information**. I requested the video record after the meeting and I will detail some of those statements below. I include his own slides and the time of discussion or quote during the meeting:

Adrian G Zambrano <adrian.zambrano@phoenix.gov> Tue, 15 Nov, 09:25 (9 days ago)
to me

You have received access to a City of Phoenix Planning & Development File Share from Adrian G Zambrano. The link to transfer your file(s) will expire on Tuesday, November 22, 202: 12:00 AM.

https://pdssftp.phoenix.gov/?ShareToken=E2074AF4938672725647A7806A52DE39600D27D9

November 7, 2022 Paradise Valley Village Planning Committee meeting recording

FALSE STATEMENT: Jason Morris stated, "there has been no single-family home that was developed here" and the lot "has actually been cleaned up because it was in disrepair." He continued stating the developer was "doing the neighborhood a favor by rezoning the lot" and pushed this point stating "there is simply no market or desire to build a new single family home adjacent to Shea Boulevard given volume of traffic. (1hr 17 min mark).

TRUTH: Photos below show **this was not a home or lot in disrepair.** The home located here was in the most premier zip code in the state and located in the coveted 3C's school district sharing many neighbors along Shea. The property was described on Zillow as a "**Kid's Paradise! Full acre backyard oasis**. The chef's kitchen creates a perfect gathering place to entertain...**Kid's will truly enjoy the park size playground** with a massive sandbox and an expansive natural turf playing field." The family created a comfortable barrier to Shea with a second fence, bushes, and large oleanders.
(https://www.zillow.com/homedetails/10441-N-57th-St-Paradise-Valley-AZ-85253/7828055_zpid/?)



FALSE STATEMENT: After concerns were repeatedly voiced about a 4,600+ sq ft garage, Jason Morris stated "this has never been a 23 car garage, I don't know where that number came from....." he stated, "***I cannot be more vociferous about my absolute perplexed nature about that number***. I have no idea where that came from." (1 hr 50 min)

TRUTH: City of Phoenix General Plan submitted by **Applicant/ Representative: Jason Morris, Withey Morris, PLC on September 12, 2022 shows a 26 garage planned**. Morris intentionally misrepresented this matter using an opportunity to deny a 23 car garage when it was an *even larg*er more concerning, 26 car garage. One might think he used *opportunity to confuse, deceive and obfuscate* information is alarming.

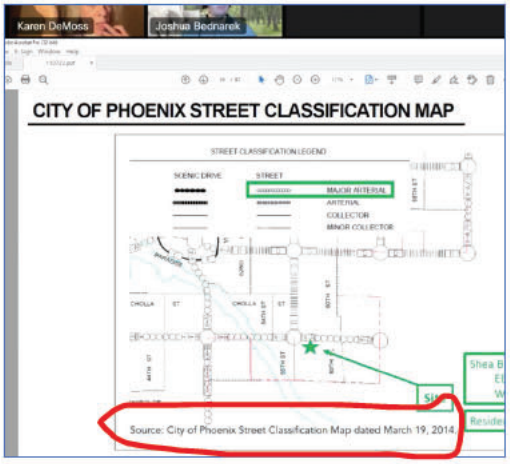
City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-43-22-2
September 12, 2022

Paradise Valley Village Planning Committee Meeting Date:	September 12, 2022
Planning Commission Hearing Date:	October 6, 2022
Request From:	RE-43 (One-Family Residence District) (1.37 acres)
Request To:	R-O (Restricted Commercial District) (1.37 acres)
Proposed Use:	Residential Office
Location:	Southeast corner of 57th Street and Shea Boulevard
Owner:	[illegible] North 57th Street Holdings
Applicant/Representative:	Jason Morris, Withey Morris, PLC
Staff Recommendation:	Approval, subject to stipulations

R-O (Residential Office District)		
Standards	Requirements	Proposed
Minimum Building Setbacks		
Front (west adjacent to 57th Street)	20 feet	20 feet – Met
Side (north adjacent to Shea Boulevard	10 feet	10 feet – Met
Side (south)	10 feet	10 feet – Met
Rear (east)	25 feet	25 feet – Met
Minimum Landscape Setbacks		
Front (west adjacent to 57th Street)	Subject to Site Planning Division approval	20 feet – Met
Side (north adjacent to Shea Boulevard		5 feet – Met
Side (south)		5 feet – Met
Rear (east)		10 feet – Met
Lot Coverage	30%, excluding carports 10%, for carports	30% – Met
Building Height	15 feet, plus 1 foot in height per 1 foot additional setback [illegible] feet	23 feet – Met
Parking	1 per 300 square feet net floor area (23 spaces)	26 parking space – Met





FALSE STATEMENT: Jason Morris stated that adding a few more cars to Shea is not a problem sharing low VPD information from a City of Phoenix Street Classification Map.

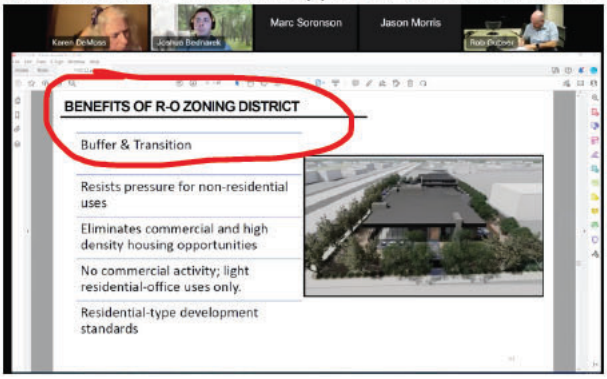
TRUTH: Jason Morris provided **traffic information from 2014** and purposefully failed to include recent, relevant traffic information to back up this claim.

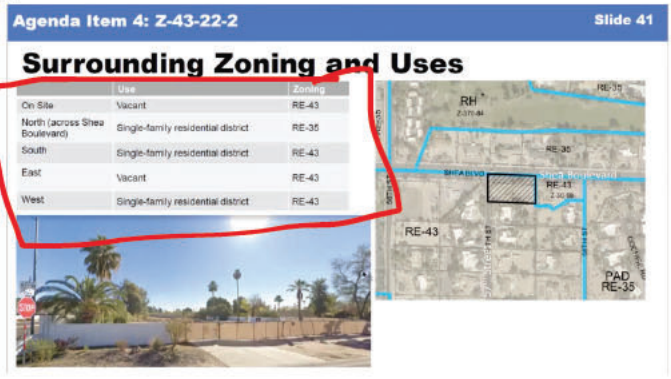
He later claimed to have a trip generation study showing ZERO trips (1hr 49min mark). This study does not appear ANYWHERE of record, ever.

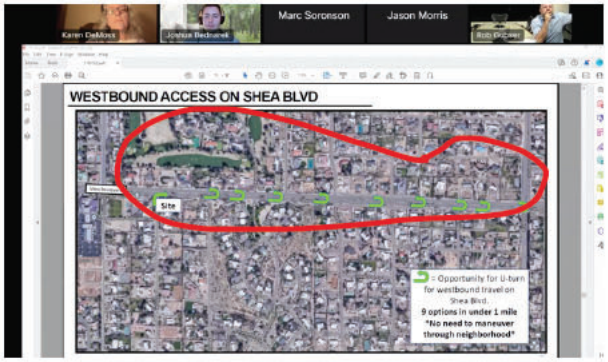
FALSE STATEMENT: Jason Morris stated on behalf of his client the R-O buffer into the neighborhood would be beneficial to the surrounding area.

TRUTH: In HIS OWN SLIDE, he later shows there is **not a single "buffering" commercial use**. On this side of Shea Blvd, ***ALL are R-43***. Our neighborhood has absolutely no need for a commercial buffer whatsoever.

Also alarming, it states "ZONING DISTRICT", not an isolated R-O site, further worrying myself and other residents of a looming domino effect if this site is approved for a commercial rezone.







FALSE STATEMENT: Jason Morris suggested drivers leaving the site can ***safely make 9 different U-turns on Shea*** to go westbound.

TRUTH: These are auxiliary turn lanes meant to provide access into driveways and neighborhood streets. Per the most recent City of Phoenix Street Planning and Design Reference Materials (https://www.phoenix.gov/pdd/devcode/standards), storage lengths must be determined to ensure travelers have *ample swing space and time to catch up with traffic speed* after completing a U-turn. Without this information, Jason Morris' **proposal endangers drivers** and suggests those leaving the subject property potentially risk a T-bone accident. It was also noted many of these suggested turns are illegal.

In fact, I was **hit by a commercial vehicle at 50mph** at the intersection of **58th St and Shea** while **completely stopped in an auxiliary turn lane** waiting for a break in traffic. I was **pregnant and required ambulance, immediate medical attention**, procedures, and monitoring. The driver was ticketed with speeding, reckless driving, and failure to avoid an accident. Further, **our front yard was destroyed** and RUN INTO by a **distracted non-resident driver** on September 18, 2022. These types of incidents are not isolated. If approved, this rezoning more traffic and more accidents.

Standards

Floodplain Management
MAG Standards
Street Planning and Design Reference Materials
Storm Water Policies & Standards
Traffic Barricade Manual
Water/Wastewater Standards & Policies
Water/Wastewater Systems, Design Standards Manual

3.18 Auxiliary Turn Lanes
Based on anticipated traffic volumes, level-of-service, speed limits, and street cross sections, the need for right-turn and left-turn lanes at the site accesses and study intersections must be determined. Recommended storage lengths should also be included.

3.19 Additional Analyses

When applicable and/or requested by the Street Transportation Department, additional traffic analyses should be included in the study such as queuing, gap, accident and speed. For large commercial developments, an internal circulation and parking study are also required.

3.20 Safety Concerns
Discuss the following when applicable:

- Accident data
- Sight distance
- Alignment between driveways/streets with other driveways/streets
- Distance between intersections/driveways
- Speed
- Pedestrians and bicycles
- Bus stops

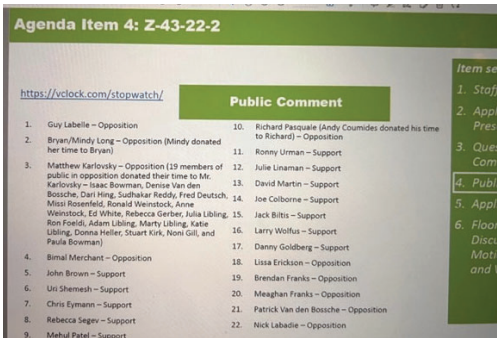
FALSE STATEMENT: Jason Morris stated individuals who signed a petition of support live in close proximity to the rezone site and the applicant went through Shea corridor North and South in the immediate area. (2hr 3min mark)

TRUTH: Of the proponents who spoke at the PVVPC meeting on November 7th, the average walk time to the subject rezone was 49 minutes (2.49 miles), with the farthest reaching support speaker living 5.6 miles from the site. These are not individuals who are immediately impacted by this rezone and do not meet parameter criteria, stated by Jason Morris to gather the Applicant's own support signatures (2 hr 4 min). The average walk time to all supporters who signed the petition was 50 minutes (2.56 mi.), which also doesn't meet the Applicant's parameters to gain support signatures.

The most shocking discovery were the signatures from young children, some not old enough to read or write. A clear **EXPLOITATION OF MINORS** and disrespect for the proper gathering of signatures in a petition to be recorded as a public document. Their names and addresses are now public information associated with this rezone and would pop up with a simple Google search.

Also of note, the Applicant provided a letter from **Rabbi Pinchas Allouche giving support on behalf of himself and his parishioners** for this project. However, he associated with a **congregation in Scottsdale, *NOT* Congregation Beth Israel on 56th St**. that immediately neighbors the rezone site; perhaps an attempt to deliberately confuse the commission who may not notice this nuance.

Language on the petition used to *obtain support signatures was concerning to at least two different committee members*. They expressed their concerns were based on location including far reaching zip codes and the intimidating nature of notices to residents requesting support signatures. One committee member reported a letter stated the site could become a "halfway house" and calls the language threatening. (1hr 52 min & 2hr 4 min mark).



Name	Address	Walk Time (min)	Distance (miles)
John Brown	8554 N 58th Pl, PV	46	2.3
Uri Shemesh	8731 N 67th St, PV	54	2.7
Chris Eymann	6120 E Mountainview Rd, PV	20	1
Rebecca Segev	8144 N 68th St, PV	72	3.6
Mehul Patel	6036 E Mountainview Rd	19	1
Ronny Urman	5401 E Via Los Caballos, PV	47	2.4
Julie Linaman	5302 E Vista Rica St	62	3.2
David Martin	8323 N Morning Glory Rd, PV	51	2.6
Joe Colborne	5526 E Shangri La Rd 85254	10	0.5
Jack Biltis	8631 N 61st Pl, PV	49	2.5
Larry Wolfus	5305 E Helena Dr, Scottsdale 85254	109	5.6
Danny Goldberg	Address unknown and no show	N/A	N/A
Average		49.0	2.49

* Address per signature or support letter on Z-43-22 Report Addendum A

Address	Walk Time (min)	Distance (miles)
5839 E Caron Circle PV	42	2.2
5839 E Caron Circle PV	42	2.2
5401 E Via Los Caballos PV	47	2.4
5401 E Via Los Caballos PV	47	2.4
5401 E Via Los Caballos PV	47	2.4
5401 E Via Los Caballos PV	47	2.4
5401 E Via Los Caballos PV	47	2.4
8323 N. Morning Glory PV	51	2.6
8323 N. Morning Glory PV	51	2.6
8323 N. Morning Glory PV	51	2.6
8323 N. Morning Glory PV	51	2.6
8100 N 54th St PV	63	3.2
8100 N 54th St PV	63	3.2
8100 N 54th St PV	63	3.2
8100 N 54th St PV	63	3.2
5301 E Vista Rica St PV	65	3.3
5301 E Vista Rica St PV	65	3.3
5301 E Vista Rica St PV	65	3.3
5301 E Vista Rica St PV	65	3.3
5301 E Vista Rica St PV	65	3.3
5316 E Vista Rica St PV	64	3.3
5402 E Vista Rica St PV	64	3.3
5402 E Sapphire Ln PV	57	2.9
5402 E Sapphire Ln PV	57	2.9
5402 E Sapphire Ln PV	57	2.9
5402 E Sapphire Ln PV	57	2.9
5402 E Sapphire Ln PV	57	2.9
5402 E Sapphire Ln PV	57	2.9

Address [continued]	Walk Time (min)	Distance (miles)
8809 N Via la Serena PV	39	2
8809 N Via la Serena PV	39	2
8809 N Via la Serena PV	39	2
8809 N Via la Serena PV	39	2
6036 E Mountainview Rd PV	20	1
6036 E Mountainview Rd PV	20	1
6036 E Mountainview Rd PV	20	1
6036 E Mountainview Rd PV	20	1
6427 E Mountainview Rd PV	29	1.4
6427 E Mountainview Rd PV	29	1.4
6426 E Turquoise Ave PV	39	2
5526 E Shangri La	10	0.5
5526 E Shangri La	10	0.5
8631 N 61st Pl PV	49	2.5
5302 E Vista Rica St PV	66	3.4
5302 E Vista Rica St PV	66	3.4
5302 E Vista Rica St PV	66	3.4
5302 E Vista Rica St PV	66	3.4
6301 E Corrine Dr	42	2.2
6301 E Corrine Dr	42	2.2
9342 N Morning Glory Rd PV	20	1
9342 N Morning Glory Rd PV	20	1
6001 E Mountainview Rd PV	20	1
6001 E Mountainview Rd PV	20	1
5819 E Mountainview Rd	14	0.7
5819 E Mountainview Rd	14	0.7
5819 E Mountainview Rd	14	0.7

Address [continued]	Walk Time (min)	Distance (miles)
8731 N 67th St PV	54	2.7
8731 N 67th St PV	54	2.7
6130 E Naumann Dr PV	126	6.4
6130 E Naumann Dr PV	126	6.4
6130 E Naumann Dr PV	126	6.4
6130 E Naumann Dr PV	126	6.4
8144 N 68th St PV	72	3.6
8144 N 68th St PV	72	3.6
9162 N 70th St PV	56	2.8
9162 N 70th St PV	56	2.8
6716 E Horseshoe PV	46	2.3
6716 E Horseshoe PV	46	2.3
6716 E Horseshoe PV	46	2.3
Royal Palm	46	2.3
6039 E Mountainview Rd PV	19	1
6039 E Mountainview Rd PV	19	1
8201 N 53rd St PV	77	3.9
8201 N 53rd St PV	77	3.9
8201 N 53rd St PV	77	3.9
8201 N 53rd St PV	77	3.9
8201 N 53rd St PV	77	3.9
6303 E Turquoise Ave PV	26	1.3
6303 E Turquoise Ave PV	26	1.3
6303 E Turquoise Ave PV	26	1.3
Average	50.425	2.56125

FALSE STATEMENT: Multiple times throughout the meeting, Jason Morris insinuated **group homes** under the R-43 zoning code are filled with undesirable residents; **painting these residents as nuisances to the neighborhood**. He suggested the R-O rezone will provide relief from issues caused by group home residents.

TRUTH: We share our neighborhood with three group homes on 57th St. All are elderly care facilities where our cherished and most respected elderly reside. They are ***pleasant, quiet, law abiding, non-traffic burdening residents***; the complete opposite of the picture that was painted of them. We hold them with high regard and are offended that out our elderly population were cast to look like criminals, thieves, and crooks by using the word ***"group home" as a frightening trigger*** to gain support for this project.

I would also like to express **deep concern** with the number of times it was stated throughout this meeting that this '***rezone already approved***'???!!

We heard comments including:

- "Staff has already approved it" [reiterated 7 times in a row]
- "I personally don't care about the signatures. I've seen the client bend over backwards"
- "Approve a project for a developer who has already bent over backwards"
- "We are just an informative body that has no voting power to impact this"
- "It is the job of the committee to push the project though to planning"
- "I don't care about fluff and static" [neighborhood opposition]

The job of the Paradise Valley Village City Council is to "represent the people who live and work in all segments and geographic areas of the village." Our voices should be heard. They were not.

After the November 7th hearing, I emailed the Mayor, Councilmembers, and PVVPC regarding of a conflict of interest violation when a member of the PVVPC made a motion for a third vote in support of the subject rezone. PVVPC member and LevRose Commercial Broker **Anna Sepic** is actively marketing a property **located 347 ft from Rezone Case Z-43-22-2 from a R-43 to a multifamily commercial development**. This is a clear conflict of interest that meets the criteria stated below by the **City of Phoenix Boards, Commissions, and Committee's Welcome Packet Conflict of Interest Guide.** It states "**A commission member should declare a conflict of interest and must not participate or vote** in the decision or action if real property owned or **controlled** by the board/commission/village member or relative realizes particularized harm or **benefit**. **Factors to determine particularized** harm

or **benefit include**: Ownership or **financial interest** in a **property within close proximity (generally 600 ft or less**) of the affected property by the board/commission/committee members action. This is not an exhaustive list of factors."

Her decision not to recuse herself was deceitful and reckless, and a clear exploitation of her role as committee member. Members are expected to adhere to the rules and regulations of the charter.

During a discussion with a City of Phoenix Planning and Development employee, I was informed there is no ethics committee to review this issue. This creates an environment ripe for corruption, cronyism, and back door dealings.

I am sincerely worried about the sheer amount of **false information communicated to constituents and committee members** alike. Those in opposition are discredited, brushed off, not heard, and disregarded by the Applicant. We are a neighborhood who have worked collectively to form a grassroots campaign in **OPPOSITION and TRUTH.**

Thank you,
Meaghan Franks
10006 N 58th St, Paradise Valley, AZ 85253

Re: Item #4, Z-43-22 rezoning request

My name is Richard Pasquale, I live at 10210 N. 57th St, just five houses away from the residential parcel in question. I strongly object to this commercial proposal.

1. THIS NEIGHBORHOOD IS DEDICATED TO RESIDENTIAL PROPERTIES

Our neighborhood is exclusively zoned R-43 for single family homes. The proposed R-O zoning is contrary to:

- the community master plan,
- the character of the neighborhood,
- and the wishes of the homeowners in this neighborhood.

2. THE DEVELOPER'S CHARACTERIZATION OF THE NEIGHBORHOOD IS FALSE

The developer's attorney distorts the extent of non-residential activity in our neighborhood. There is no commercial development in our neighborhood. It is true that there are two places of worship and several senior living facilities. However, those senior living facilities are in large residential homes that are completely inconspicuous. They have NO signage and virtually no traffic.

Moreover, the fact is the fitness facility their attorney mentions is to the west some distance, moreover that facility and the adjacent forthcoming healthcare facility have caused great and continuing distress among homeowners near there as discussed in multiple articles in the community newspaper. Similarly, an R-O zoned office building further west on Shea at 37th St has also caused significant and continuing chagrin for homeowners there.

3. THOSE SUPPORTING THE REQUEST DON'T EVEN LIVE IN OUR NEIGHBORHOOD.

The developer encouraged their friends, customers, and the family members of those friends and customers to support this request. However, these people don't live in our neighborhood! The homeowners in Country Club Acres are totally opposed to this request that would transform our neighborhood in very harmful ways.

4. THE DEVELOPER'S RENDERINGS ARE DECEPTIVE

The developer emphasizes the appearance of the proposed buildings, saying they were designed by a residential architect and are compatible with the neighborhood. However, all of their renderings leave out all signage. The appearance of this parcel would be incredibly different with signage.

5. THE SIGN ORDANCE (705) DESTROYS THE "R" IN R-O

As a "Nonresidential activity in a residential district" there are extensive forms of signs allowed, wrecking any hint of a residential neighborhood.

a. A ground sign 5' tall
b. Wall signs at a height of up to 15'. Based upon the formula, with the two buildings roughly extending a combined 300 linear feet on the two streets, there could be 75 square feet of wall signs
c. A marquee
d. Brightly illuminated signs in our dark sky neighborhood sans street lights.
e. Canopies and awnings with signage.
f. 30% of the windows can be covered with signage.
g. Directional signs with the business name
h. Pedestrian signs
i. Lease signs
j. Temporary signs
k. Moreover the signage code "Flexibility Provisions" (705E), permit businesses to submit plans for even higher limits on signage

6. THE DEVELOPER REFUSED MULTIPLE REQUESTS TO LIMIT SIGNAGE

I personally spoke to and wrote to legal staff in Attorney Morris' office multiple times over the course of many weeks suggesting a stipulation that would permit ground, directional, pedestrian, rental, temporary, and other signage, but exclude signage on the buildings that would be viewable from the street.

(A stipulation permitting signs under zoning code provisions 705.D.2, 705.D.4, 705.D.7, 705.D.8, 705.D.9, and 705.D.10, but prohibiting signs on the buildings which are viewable from the street that would otherwise be allowable under 705.D.3, 705.D.3.d(2), 705.D.5, and 705.D.6.)

Without such a stipulation, signage could eviscerate the residential nature of the neighborhood and be very detrimental to our home values. The developer refused.

7. THERE IS NOTHING RESIDENTIAL ABOUT THIS PROPOSAL

Buildings with commercial signage do not fit in with our neighborhood in any way. While attorney Morris may attempt to rebut this concern by suggesting that this owner will likely have only limited signage, such claims are not binding on either this owner or especially future owners. Without a binding and constrictive stipulation, there is nothing about this and future R-O uses that is residential. Its ruining another neighborhood with commercial development.

8. THE DEVELOPER IS NOT ACCOMODATING IN MULTIPLE WAYS

It is not just signage where there is a failure to engage in stipulations that limit this commercial intrusion into our R-43 neighborhood. There were clear requests other homeowners made at public meetings, asking that there be no access from 57th Street. Yet the developer's renderings show an entry directly from 57th Street. As a consequence, clients of business(es) there can be expected park on our quiet residential street. This quiet street is not lined with sidewalks. Children, adults, and pets go for walks and bicycle down this quiet street on a regular basis. Commercial traffic creates genuine safety concerns.

9. THE DEVELOPER HAS NOT BEEN HONEST ABOUT THE PROPOSED GARAGE

In the initial and subsequent presentations to the neighborhood, Attorney Morris clearly stated that this building would be used to house the owner's high-end vehicle collection. This raised neighborhood concerns that the facility could be the site of frequent night and weekend gatherings of prospective clients or parties with the cars as a focal point. Such events could draw many client vehicles, with parking for those clients overflowing into our neighborhood on 57th and 58th streets.

Just recently the developer submitted a new drawing claiming they only plan to hold four cars and Attorney Morris disingenuously stated that there was never a plan to hold a large vehicle collection. Even with a small collection, we don't want commercial clients and possibly high performance cars zipping up and down our streets where children and adults are trying to safely stroll. Our subdivision is composed of very quiet resident streets, with no sidewalks. It is also a dark sky neighborhood with no streetlights.

10. TRAFFIC FOR FUTURE R-O USES WOULD BE EVEN WORSE

A zoning change is lasting, it's not just about the immediate use proposed. Attorney Morris strives to minimize the planned parking and traffic from Regal Homes' proposed use. If rezoned R-O, this owner or future owners could change their use of the proposed buildings to house multiple commercial office tenants which could bring significant vehicle traffic, completely transforming what have always been safe, quiet streets.

11. THIS PROPOSAL DESTROYS ECONOMIC VALUE

Even though Country Club Acres is a very small subdivision, we've worked hard to invest in our homes in terms of both creating a neighborhood and creating economic value. Collectively our homes have a market value far in excess of $100 million. A deviation from R-43 zoning would destroy home values in this Phoenix neighborhood.

12. THE DEVELOPER MISCHARACTERIZES THIS PARCEL

The developer's lawyer has been misleadingly characterizing this parcel as a vacant lot, as though that has always been situation. The fact is there was a beautiful single-family home on this parcel for decades until it was recently demolished by a preceding developer and there can be a single-family home in that location again.



13. THIS R-43 ZONED PARCEL FACES A MULTI-MILLION DOLLAR HOME

As a single-family home, this parcel fronts 57th Street, not Shea Blvd. It faces an existing multimillion dollar home, nearly 6,000 square feet in size (10438 N 57th St).



14. NON-DESTRUCTIVE ALTERNATIVE

The developer emphasizes that a skilled residential architect has designed the buildings they propose with a goal is to impress customers with the quality of their firm's construction work and that the parcel will have landscaping to help shield the property from Shea Blvd. Well, an attractive design, quality construction, and landscaping would equally assure that a residential home can again be successfully placed on that very same parcel.

15. THE PARADISE VALLEY VILLAGE COMMITTEE CORRUPTLY FAILED TO SUPPORT THIS NEIGHBORHOOD

The committee voted 7-7 on motions to approve the request and approve the request with stipulations. This result was a consequence of member Sepic failing to disclose a conflict of interest and failing to recuse herself. Instead. she argued in favor of the request and voted for the request. We in the neighborhood were muted in the meeting, unable to raise alarms at this. Meanwhile, Attorney Morris was open to continue giving commentary, including giving his thoughts on stipulations.

After the first vote, stipulations were proposed that were either token ones or stipulations that the board said at the time were likely not even enforceable. Seven members again voted against it and corrupt Sepic voted in favor, creating another tie. The chairperson then threatened those opposed that no stipulations would be recommended unless they changed their votes. Regrettably, two capitulated to the threat.



Alex Popovic
Regional Vice President of Real Estate Development at Richman Group | MRED
2w · Edited

Last night Paradise Valley Village hearing case Z-43-22-2 lasted past 11pm on one cas
the applicant was represented by Jason Barclay Morris. While it was a very polarizing
rezone and after two 7-7 ties for and against, the third vote ended up being 8-6 in fav
This is the beauty of the process.

Afterwards I was honored, unbeknownst to me, to have been nominated as the new chairperson for the village. I'm looking forward to leading the most active village in Phoenix, and being able to help shape and impact our communities tapestry. I'd like t also welcome Anna Sepic, MRED, CAM who will bring an incredible perspective and wealth of development knowledge & experience to our village. Welcome! #PVCC #development #richmangroup #community

16. DEVIATING FROM R-43 ZONING WOULD PERMANENTLY WRECK THE NEIGHBORHOOD

A zoning change is lasting, it's not just about these proposed buildings. If rezoned R-O, there is not a single person on this board that can know how blatantly commercial future offices at this location might be.

This owner or future owners could change their use of the proposed buildings to house multiple commercial office tenants with a multitude of signs. They could later seek to expand within that R-O zoning, creating a more commercial looking and higher traffic office building, such as a 25' tall (two story) office complex, further ruining the single-family home nature of our neighborhood.

Regal American should build commercial offices where the master plan permits, not wrecking a neighborhood There is a double-digit vacancy rate for existing office space in Phoenix. There is no reason to destroy our neighborhood with this request for a commercial office when there is already plenty of office space available in non-residential areas. If the applicant needs new construction of an office, there are ample properties available that are already properly zoned for that purpose.

17. IT IS NOT INEVITABLE THAT ALL OF SHEA BLVD BE COMMERCIALIZED.

It is a false argument to suggest that all of Shea will eventually be commercialized, this can only occur if planning bodies fail to protect neighborhoods such as ours.

This board should not dismiss the universal concerns of the homeowners in our neighborhood to deviate from the zoning and the master plan. Please support and protect our neighborhood.

Richard Pasquale

Racelle Escolar

From: Sofia Steber <sofia.steber@cox.net>
Sent: Tuesday, November 29, 2022 5:51 PM
To: PDD Planning Commission
Subject: 6. Application #: Z-43-22-2

6. **Application #: Z-43-22-2**

From: RE-43
To: R-O
Acreage: 1.37
Location: Southeast corner of 57th Street and Shea Boulevard
Proposal: Residential Office
Applicant: Jason Morris, Withey Morris, PLC
Owner: 10441 North 57th Street Holdings
Representative: Jason Morris, Withey Morris, PLC

Hi -

I've lived in Paradise Valley since I was 4 years old. I've attended all three C's: Cherokee Elementary, Cocopah Middle School, and Chaparral High School. I have loved growing up in the community because of it's laid back atmosphere. My family and I enjoy riding bikes and running around the neighborhoods. We also enjoy walking our dog Jackson.

I think it's important to keep the corner of 57th Street and Shea as residential. I've been driving for two years and have noticed how dangerous Shea can be. There are a lot of drivers including commercial trucks that drive like it's the Grand Prix. Please keep this corner family friendly.

Sofia Steber

Joseph Colborne, Home Owner
5526 E Shangri La Rd
Scottsdale AZ 85254
10/31/22

To Whom It May Concern:

I am writing on behalf of Sheri and Avi Azoulay, as well as their company, Regal American Homes. My wife and I had the honor of working with Regal American Homes on our first house when we moved to Arizona in 2020.

Not only was our professional experience with Regal American Homes above and beyond anything we could have hoped for, we were fortunate enough to spend some time with both Sheri and Avi on a personal level, and are now fortunate to call them friends.

With regards to their new proposed building, we as local homeowners would be honored to have their outstanding company in our neighborhood and fully support any rezoning efforts to allow them to do so. They will be a HUGE addition to our area, and we hope to call Regal American homes our neighbors soon.

Thank you for your time,

Joseph Colborne

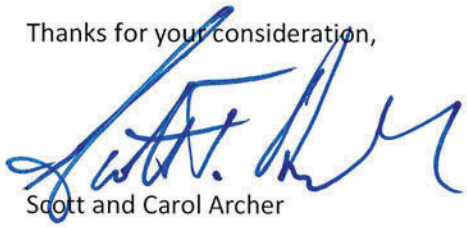


To Whom It May Concern:

I am a resident at 5022 E. Orchid Ln. in Paradise Valley Arizona. I live in close proximity to the proposed office rezoning project. I am very familiar with Regal American and am absolutely confident that this will be a sensitive high-quality development with low impact to surrounding residential.

Considering the commercial nature of this fragment parcel on Shea Boulevard I further believe that this is the highest and best use. I would much rather have this high-quality development versus a vacant parcel that has remained in this condition for years and years.

Thanks for your consideration,



Scott and Carol Archer

October 20, 2020 - RE: Support for Regal American Homes Zoning Z-43-22

By signing this document, I am pledging my support to the rezoning case at 10441 N 57th St, Paradise Valley AZ 85253. I have reviewed the plans and presentation for the property and feel this would be a great addition to the neighborhood. It is my opinion that this office would bring less traffic and disruption to the community than a short-term rental. I believe the Residential Office district would be an excellent buffer and protection against further commercial zoning.

	ADDRESS	NAME	SIGNATURE	DATE
1.	5326 E SWEETWATER	MARK DOERFLEIN		11/2/22
2.	5314 E SWEETWATER	MARK DOERFLEIN		11/2/22
3.	5326 E SWEETWATER	KAREN DOERFLEIN		11/2/22
4.	5314 E SWEETWATER	KAREN DOERFLEIN		11/2/22
5.	5326 E SWEETWATER	Alexander DOERFLEIN		11/2/22
6.	5314 E SWEETWATER	Alexander DOERFLEIN		11/2/22
7.	5326 E SWEETWATER	Nicholas DOERFLEIN		11/2/22
8.	5314 E SWEETWATER	Nicholas DOERFLEIN		11/2/22
9.	5326 E SWEETWATER	Adriana DOERFLEIN		11/2/22
10.	5314 E SWEETWATER	Adriana DOERFLEIN		11/2/22
11.	8544 N 58TH PL PV	John Brown		11/2/2022
12.	8544 N 58th PL PV	AMANDA BROWN		11/2/2022
13.	6049 E Desert Ave	Tim Steelman		11-3-2022
14.	6135 GOLD DUST AVE PV	Chris Biegan CHRIS BIEGANSKI		11-4 2022
15.	6135 E GOLD DUST AVE	JULIE BIEGANSKI		11-4-2022
16.	6135 E GOLD DUST AVE	DAVID BIEGANSKI		11-4 22
17.	7737 N. SAGUARO DR.	PETER MOOSBRUGGER		11/6/22
18.	7737 N SAGUARO DR	ERIN MOOSBRUGGER		11/6/22
19.	8625 N. VIA La Serena	DOMENICK MONTANILE		11/6/22
20.	8625 N. VIA LA Serena	Francesco Montanile		11/6/22
21.	8625 N. Via La Serena	TESSA Montanile		11/6/22
22.	8625 N Via La Serena	Jaime Montanile		11/6/22
23.	8306 N Marion Way	Scott Rehorn		11/6/22
24.	8306 N. Marion Way	Susan Rehorn		11/6/22
25.	5816 E. Via Del Cielo	John Heffner		11/6/22
26.	5816 E Via Del Cielo	Kristine Heffner		11/6/22
27.	9101 N MORNING GLORY PV, 85253	John L. COUVARAS		11/6/22
28.	9101 N morning Glory PV 85253	Rhoda M Rizkalla		11/6/22
29.	4424 E Valley Vallejo 85253	Kathleen Travers		11/6/22
30.	6305 E. Fanfol Drive, PV AZ 85253	Paul Tram		11/6/22

October 20, 2020 - RE: Support for Regal American Homes Zoning Z-43-22

By signing this document, I am pledging my support to the rezoning case at 10441 N 57th St, Paradise Valley AZ 85253. I have reviewed the plans and presentation for the property and feel this would be a great addition to the neighborhood. It is my opinion that this office would bring less traffic and disruption to the community than a short-term rental. I believe the Residential Office district would be an excellent buffer and protection against further commercial zoning.

	ADDRESS	NAME	SIGNATURE	DATE
1.	5839 E. Caron Crl PV	GARY Vaughn		10/20/21
2.	5839 E. Caron Crl PV	Julia Vaughn		10/20/21
3.	5401 E. Via Los Caballos P.V	Sigal Urman		10/20/22
4.	5401 E. Via Los Caballos P.V	Ronny Urman		10/20/22
5.	5401 E. Via Los caballos PV	Leeor Urman		10/20/22
6.	5401 E. Via Los caballos PV	Yakir Urman		10/20/22
7.	5401 E. Via Los Caballos PV	Hannah Urman		10/20/22
8.	8323 N. Morning Glory PV	David Martin		10/22/22
9.	"	Camilla Martin		10/22/22
10.	"	Maverick Martin		10/22/22
11.	"	Phoenix Martin		10/22/22
12.	"	Hugh Martin		10/22/22
13.	"	Ursula Martin		10/22/22
14.	8100 North 54th Street P.V	Joey Holt		10/23/22
15.	8106 north 54th Street PV	Isabelle Radoi		10/23/22
16.	8100 north 54th street PV	Joel Holt JR		10/23/22
17.	8100 north 54th street PV	Deciann Holt		10/23/22
18.	5301 E Vista Rica St PV	Nathan Harrison		10/23/22
19.	5301 E Vista Rica St PV	Ashley Harrison		10/23/22
20.	5301 E Vista Rica St PV	Jackson Harrison		10/23/22
21.	5301 E. Vista Rica St. PV	Beau Harrison		10/23/22
22.	5301 E. Vista Rica St. PV	Andrew Harrison		10/23/22
23.	5301 E Vista Rica St. PV	Vivian Harrison		10/23/22
24.	5316 E. Vista Rica St PV	Lawrence Finkel		10/23/22
25.	5316 E. Vista Rica, PV	Joni Finkel		
26.	5402 E. Sapphire LN PV	Chris Zamora		10/24/2022
27.	5402 E. Sapphire LN. PV	Alex ZAMORA		10/24/2022
28.	5402 E. Sapphire LN. PV	Bobby Zamora		10/24/22
29.	5402 E. Sapphire LN PV	Katherine ZAMORA		10/24/22
30.	5402 E. Sapphire LN PV	Isabella Zamora		10/24/22

October 20, 2020 - RE: Support for Regal American Homes Zoning Z-43-22

By signing this document, I am pledging my support to the rezoning case at 10441 N 57th St, Paradise Valley AZ 85253. I have reviewed the plans and presentation for the property and feel this would be a great addition to the neighborhood. It is my opinion that this office would bring less traffic and disruption to the community than a short-term rental. I believe the Residential Office district would be an excellent buffer and protection against further commercial zoning.

	ADDRESS	NAME	SIGNATURE	DATE
1.	5402 E. Sapphire LN PV	Deanna Zavoca	Deanna Zavoca	10/24/22
2.	8555 N. Sendero Tres M PV	Joseph D'Anna	Joe D'Anna	10/24/22
3.	8809 N Via La serena 85253	Amosh Velangi		10-25-22
4.	8809 N Via la Serena 85253	Neha Velangi	Neha	10-25-22
5.	8809 N Via la serena 85253	Aarish Velangi		10-25-22
6.	8809 N Via la Serena 85253	Aarav Velangi		10-25-22
7.	6036 E Mountain View Rd PV 85253	Mehul Patel		10-25-22
8.	6036 E Mountain View Rd 85253	Seema Patel		10-25-22
9.	6036 E. Mountain View Rd 85253	A Patel		10-25-22
10.	6036 E. Mountain View Rd 85253	Shailen Patel		10-25-22
11.	6427 E. Mountain View Rd 85253	Kristy Pierce	Kristy Pierce	10-27-22
12.	6427 E. Monatain View Rd 85253	Kim Pierce		10-27-22
13.	5115 E. Tonahaook Trail, 85253	Kristen Ryan	Kristen Ryan	10-27-22
14.	6426 E. Turquoise Ave., 85253	Kristen Ryan	Kristen Ryan	10-27-22
15.	5526 E Shangri La Rd 85254	Joe Colborne		10-28-22
16.	5526 E Shangri La Rd 85254	Tarryn Colborne	Tarryn Colborne	10-28-22
17.	8631 N 61st place pv. 85253	jacki bilis.		10 28 2022
18.	5302 E. Vista Rica St, PV, AZ 85253	Julie Linaman	Julie Linaman	10/28/2022
19.	5302 E. Vista Rica St. PV 85253	Matt Linaman		10.28.2022
20.	5302 E Vista rica St pV 85253	Jett Linaman		10/28/22
21.	5302 E Vista rica st pv. 85253	Marlow Linaman		10/28/22
22.	6301 E Corrine Dr. Scottsdale AZ 85254	Chad Bellis		10/28/22
23.	6301 E Corrine Dr. Scottsdale AZ 85254	Angie Bugal	Angie Bugal	10/28/22
24.	9342 N Morning glory rd p.v	Anita Lilian		10/30/22
25.	9342 N morning Glory pV	Satnil Lilian		10/30/22
26.	6001 E Mountain View Rd	Denol Jackson		10/30/22
27.	6001 E Mountain View Rd	Ameen Delva		10/30/22
28.	[redacted]			
29.	[redacted]			
30.	[redacted]			

October 20, 2020 - RE: Support for Regal American Homes Zoning Z-43-22

By signing this document, I am pledging my support to the rezoning case at 10441 N 57th St, Paradise Valley AZ 85253. I have reviewed the plans and presentation for the property and feel this would be a great addition to the neighborhood. It is my opinion that this office would bring less traffic and disruption to the community than a short-term rental. I believe the Residential Office district would be an excellent buffer and protection against further commercial zoning.

	ADDRESS	NAME	SIGNATURE	DATE
1.	6039 E. Mountain View Rd Paradise Valley AZ 85253	Patrick W. Hogan		10/30/2022
2.	6039 E. Mountain View Rd Paradise Valley AZ 85253	Tiffany Mont Hogan		10/30/2022
3.	8201 N. 53rd ST. Paradise Valley, AZ 85253	ELIZABETH BOSWELL		10-30-2022
4.	8201 N. 53rd ST. Paradise Valley, AZ 85253	TIMOTHY BOSWELL		10-30-22
5.	8201 N. 53rd ST. PARADISE VALLEY, AZ 85253	JOHN BOSWELL		10-30-22
6.	8201 N. 53rd ST. PARADISE VALLEY, AZ 85253	Henry BOSWELL		10-30-22
7.	8201 N. 53rd ST. PARADISE VALLEY, AZ	Roger BOSWELL		10-30-22
8.	6303 E Turquoise Ave 85253	Lynette Cooper		10/30/22
9.	6303 E Turquoise Ave 85253	Kevin Cooper		10/30/22
10.	6303 E. Turquoise Ave 85253	Nick Cooper		10/30/22
11.	7022 E Paradise Rd Lot A 85254	Timothy Mudd		11/3/22
12.	7022 E Paradise Rd Lot A 85254	Kimberly mudd		11/3/22
13.	7022 E Paradise Rd Lot A 85254	Maximillion Mudd		11/3/22
14.	7022 E Paradise Rd Lot B 85254	Timothy mudd		11/3/22
15.	7022 E Paradise Rd Lot B 85254	K.mberly mudd		11/3/22
16.	7022 E Paradise Rd Lot B 85254	Maximillion Mudd		11/3/22
17.	12201 N. 64th St.	Christopher Eymann		11/3/22
18.	6335 E Gold Dust Ave Paradise Valley 85253	Chad DeWitt		11/4/22
19.	6335 E Gold Dust Ave, Paradise Valley 85253	Ashley DeWitt		11/4/22
20.	8213 N Loma Lane PV 85253.	DOREWHITE MD		11/5/22
21.	8213 N LOMA LANE PV 85253	Timothy B Maison		11/5/2022
22.	5320 E. SAGUARO PL PV 85253	ROBERT J. WADE		11/5/2022
23.	6643 E. Aster Drive, Scottsdale 85254	Tal Lavi		11/5/22
24.	6643 E. Aster Drive, Scottsdale 85254	Kendall LAVI		11/5/22
25.	6643 E. Aster Drive, Scottsdale 85254	Ethan LAVI		11/5/22
26.	6643 E. Aster Drive, Scottsdale 85254	Elon LAVI		11/5/22
27.	6643 E. Aster Drive, Scottsdale 85254	Eli LAVI		11/5/22
28.	8624 N. 64th Pl Paradise Valley 85253	Jeremy FORD		11/5/22
29.	8624 N. 64th Pl Paradise Valley 85253	Pina Bulot		11/5/22
30.	950 N. 48th Pl. Phoenix, AZ 85008	JAY TURNER		11/6/22

October 20, 2020 - RE: Support for Regal American Homes Zoning Z-43-22

By signing this document, I am pledging my support to the rezoning case at 10441 N 57th St, Paradise Valley AZ 85253. I have reviewed the plans and presentation for the property and feel this would be a great addition to the neighborhood. It is my opinion that this office would bring less traffic and disruption to the community than a short-term rental. I believe the Residential Office district would be an excellent buffer and protection against further commercial zoning.

	ADDRESS	NAME	SIGNATURE	DATE
1.	8731 N 67st P/V	Uri Shemesh		10/24/22
2.	8731 N. 67th street P.V	Melinda Shemesh	Melinda Shemesh	10/25/22
3.	6130 E. NAUMANN DR. P.V	MEIR ZENATI		10/25/22
4.	6130 E. NAUMANN DR P.V	YVONNE ZENATI		10/25/22
5.	6130 E NAUMANN DR P.V	GAEL ZENATI	GAEL. Z	10/25/22
6.	6130 E NAUMANN DR P.V	NOI ZENATI	NOI. Z.	10/25/22
7.	6130 E NAUMANN DR. P.V	ARIEL ZENATI	ARIEL Z.	10/25/22
8.	8144 N 68th st. PV	Shay Segev		10/27/22
9.	8144 N 68th ST PV 85253	Rebecca Segev		10/27/22
10.	9162 N. 70th St. PV. 85253	Jacqueline Kay		10/27/22
11.	9162 N. 70th St. PV. 85253	MARC KAY		10/27/22
12.	6716 E Horseshoe P.V 85253	[illegible]		10/27/22
13.	6716 E Horseshoe Rd PV 85258	Rachel Finkel		10/27/22
14.	5427 E Royal Palm Rd PV	Ariel Shemesh	Ariel Shemesh	10/28/22
15.		Mike Wiss		10/29/22
16.	9501 N. 67th Lane Phoenix AZ 85028	ASHLEIGH TURNER	A E Turner	11/06/22
17.				
18.				
19.				
20.				
21.				
22.				
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28.				
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30.				

Nayeli Sanchez Luna
Paradise Valley Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Regal American Homes – Z-43-22

On behalf of Congregation Beth Israel, I am writing in support of the proposed residential office at the southeast corner of 57th Street and Shea Boulevard. We reviewed the application and documents regarding the proposed development and believe this project will be a positive addition to our community. The quality of the design and the architecture is compatible with the neighborhood and will be a great use for this property, which given its frontage to Shea Boulevard is not likely to develop as a single-family home.

Congregation Beth Israel has served this community for many years and cares about the safety and wellbeing of its residents. With the proliferation of short-term rentals and group homes on properties such as this one along Shea Boulevard, we believe the proposed use is a better one for the neighborhood. Moreover, we appreciate that the developer has been responsive to the feedback of the neighbors, including ensuring access to the site is limited to Shea Boulevard.

Thank you for your consideration.

Sincerely,

Congregation Beth Israel

CITY OF PHOENIX

NOV 09 2022

Planning & Development Department

Nayeli Sanchez Luna
Paradise Valley Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Regal American Homes – Z-43-22

As a resident of the adjacent neighborhood, I am writing in support of the proposed residential office at the southeast corner of 57th Street and Shea Boulevard. After reviewing the application, I think the proposed land use makes sense for this property given its location along Shea Boulevard. The quality of the architecture and the residential character of the proposed buildings appears to be compatible with the neighborhood and will improve the aesthetics of this corner.

With site access limited to Shea Boulevard, this proposed project will not have a negative impact on traffic in the neighborhood. I think this project will be a great fit for this area.

Sincerely,

Walter Sterling
6700 E. Fanfol Dr.
Paradise Valley, Az 85253

ATTACHMENT H

REPORT OF PLANNING COMMISSION ACTION
December 1, 2022

ITEM NO: 6	
	DISTRICT NO.: 2
SUBJECT:	
Application #:	Z-43-22-2
Location:	Southeast corner of 57th Street and Shea Boulevard
From:	RE-43
To:	R-O
Acreage:	1.37
Proposal:	Residential Office
Applicant:	Jason Morris, Withey Morris, PLC
Owner:	10441 North 57th Street Holdings
Representative:	Jason Morris, Withey Morris, PLC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:
Paradise Valley 9/12/2022 Continued to October 3, 2022. Vote: 15-0.
Paradise Valley 10/3/2022 Continued to November 7, 2022. Vote: 15-0.
Paradise Valley 11/7/2022 Approval, per the staff recommendation (Addendum A), with additional stipulations. Vote: 9-5.

Planning Commission Recommendation: Approval, per the staff memo, with an additional stipulation.

Motion Discussion: N/A

Motion details: Commissioner Busching made a MOTION to approve Z-43-22-2, per the staff memo dated December 1, 2022, with the addition of a stipulation that the lot shall not be subdivided or split.

Maker: Busching
Second: Simon
Vote: 8-1 (Jaramillo)
Absent: None
Opposition Present: Yes

Findings:

1. The proposal will provide an appropriate transition between a major arterial street and an established single-family neighborhood.

2. The proposal will provide an opportunity for a new small business to locate in the Paradise Valley Village and serve the surrounding neighborhood.

3. The proposal will develop vacant land and as stipulated will incorporate design and landscape features that are compatible with the surrounding land uses.

Stipulations:

1. The development shall be in general conformance with the site plan date stamped ~~August 19, 2022~~ NOVEMBER 2, 2022 and elevations date stamped ~~August 19, 2022~~ NOVEMBER 2, 2022, with specific regard to the inclusion of metal fascia, wood finish, and stone veneer walls or split face block, as modified by the following stipulations and approved by the Planning and Development Department.

2. THE DETACHED GARAGE STRUCTURE SHALL NOT EXCEED 4,615 SQUARE FEET IN SIZE.

~~2.~~3. The maximum building height shall be 23 feet.

~~3.~~4. A minimum building setback of 15 feet shall be provided along the south property line.

~~4.~~5. A minimum 10-foot landscape setback shall be provided along the east property line and planted with minimum 2-inch caliper trees placed 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

~~5.~~6. The south landscape setback shall be planted with minimum 50 percent 2-inch caliper and minimum 50 percent 3-inch caliper large canopy, drought tolerant trees, as approved by the Planning and Development Department.

~~6.~~7. The north landscape setback shall be planted with minimum 50 percent 2-inch caliper and minimum 50 percent 3-inch caliper large canopy, drought tolerant trees, as approved by the Planning and Development Department.

~~7.~~8. The front yard setback along 57th Street shall be planted with minimum 50 percent 2-inch caliper trees, minimum 25 percent 3-inch caliper trees, and minimum 25 percent 4-inch caliper trees to be placed 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

~~8.~~9. The developer shall maintain the exiting detached sidewalk landscape area located between the back of curb and sidewalk along Shea Boulevard and replenish it to the following standards, as approved by the Planning and Development Department.

   a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees to provide a minimum 75% shade.

   b. Drought tolerant shrubs and vegetative groundcovers maintained to a maximum height of 24 inches to provide a minimum of 75% live coverage at maturity.

   Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

~~9.~~ 10. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast parking and drive aisle surfaces, as approved by the Planning and Development Department.

~~10.~~ 11. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper size large canopy drought tolerant shade trees. Landscaping shall be

dispersed throughout the parking area and achieve 25 percent shade at maturity, as approved by Planning and Development Department.

~~11.~~ 12. A minimum of 4 bicycle parking spaces shall be provided through Inverted U and/or artistic racks dispersed throughout the site and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.

~~12.~~ 13. The developer shall dedicate minimum 55-feet of right-of-way and a 10-footwide sidewalk easement for the south half of Shea Boulevard, as approved by the Planning and Development Department.

~~13.~~ 14. 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.

~~14.~~ 15. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

~~15.~~ 16. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

17. ~~THE DEVELOPER SHALL REMOVE THE PEDESTRIAN ACCESS ONTO 57TH STREET.~~

18. A MINIMUM 30-FOOT BUILDING SETBACK SHALL BE PROVIDED ALONG THE SOUTH AND EAST PROPERTY LINES.

19. ~~THE ARCHITECTURE SHALL BE RESIDENTIAL IN NATURE.~~ THE ELEVATIONS SHALL CONTAIN DESIGN ELEMENTS OF RESIDENTIAL CHARACTER, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

20. ~~NO PARKING SHALL BE PERMITTED ON 57TH STREET.~~ PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE DEVELOPER SHALL APPLY FOR THE ON-STREET PARKING ZONES PROGRAM IN ORDER TO INSTALL NO PARKING SIGNS ALONG 57TH STREET ADJACENT TO THE SUBJECT SITE.

21. THE DETACHED GARAGE SHALL HAVE A MAXIMUM OF FOUR ~~VEHICLES SHALL BE PERMITTED IN THE DETACHED GARAGE.~~ PARKING SPACES, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

22. ~~THE DEVELOPER SHALL COORDINATE WITH THE STREET TRANSPORTATION DEPARTMENT TO INSTALL NO U-TURN SIGNS AT THE 57TH STREET INTERSETION.~~

THE PROPERTY SHALL NOT BE SUBDIVIDED OR SPLIT

~~23.~~ ~~HOURS OF OPERATION SHALL BE LIMITED TO MONDAY TO FRIDAY, 8:00 A.M. TO 6:00 P.M., SATURDAY, 9:00 A.M. TO 12:00 P.M.~~

~~24. SIGNAGE SHALL BE LIMITED TO ONE NON-DIRECTLY LIT SIGN, NOT TO EXCEED 48 SQUARE FEET.~~

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 329-5065, TTY use 7-1-1.

ATTACHMENT I

CITY OF PHOENIX
PLANNING AND DEVELOPMENT DEPARTMENT

FORM TO REQUEST PC to CC **I HEREBY REQUEST THAT THE CC HOLD A PUBLIC HEARING ON: 1/4/2023**					
APPLICATION NO/ LOCATION	**Z-43-22-2** **Southeast corner of 57th Street and Shea Boulevard**	***(SIGNATURE ON ORIGINAL IN FILE)***			
		opposition	**x**	**applicant**	
APPEALED FROM:	PC December 1, 2022	10006 North 58th Street Paradise Valley, Arizona 85253			
	PC DATE	*STREET/ADDRESS/CITY/STATE/ZIP*			
TO PC/CC HEARING	CC January 4, 2023	Brendan Franks 240-447-8309 Brendan.franks@gmail.com			
	CC DATE	*NAME / PHONE / EMAIL*			
REASON FOR REQUEST: • Overwhelming neighborhood opposition • Ethics violation • Illegal spot zoning • False or misrepresentation from applicant attorney • Request for written protest					
RECEIVED BY:	Brad Wylam	**RECEIVED ON:**		12/7/2022	

Alan Stephenson
Joshua Bednarek
Tricia Gomes
Racelle Escolar
Stephanie Vasquez
Diana Hernandez
David Urbinato
Vikki Cipolla-Murillo

Greg Harmon
Paul M. Li
Village Planner
GIS
Applicant
Adam Stranieri (for PHO Appeals)

CITY OF PHOENIX

DEC 07 2022

Planning & Development Department

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

The **PLANNING COMMISSION** agenda for **December 1, 2022** is attached.

The **CITY COUNCIL** may approve the recommendation of the Planning Commission without further hearing **unless**:

1. A **REQUEST FOR A HEARING** by the **CITY COUNCIL** is filed within seven (7) days.

   There is a $630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. **December 8, 2022**.

   Any member of the public may, within seven (7) days after the Planning Commission's action, request a hearing by the City Council on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m. **December 8, 2022**.

2. A **WRITTEN PROTEST** is filed, no later than seven (7) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the property by area and number of lots, tracts, and condominium units within the zoning petition area have signed the petition. The zoning petition area includes both the area of the proposed amendment, and the area within 150 feet of the proposed amendment, including all rights-of-way. For condominium, townhouse and other types of ownership with common lands, authorized property owner signatures are required. Please see Planning and Development Department Staff for additional information prior to gathering signatures.

   To require a three-fourths vote of the City Council for approval, a written protest for applications on this agenda must be filed with the Planning and Development Department by 5:00 p.m. **December 8, 2022**

   The Planning and Development Department will verify ownership by protestors to determine whether or not a three-fourths vote will be required.

3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an $830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. **December 15, 2022**.

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

Z-43-22-2
APPLICATION NO.

SE Corner 57th st / Shea Blvd.
LOCATION OF APPLICATION SITE

12/1/2022
DATE APPEALED FROM

☑ OPPOSITION
☐ APPLICANT

Bradley Wylam
PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

Brendan Franks
PRINTED NAME OF PERSON APPEALING

SIGNATURE

10006 N. 58th St.
STREET ADDRESS

12/7/2022
DATE OF SIGNATURE

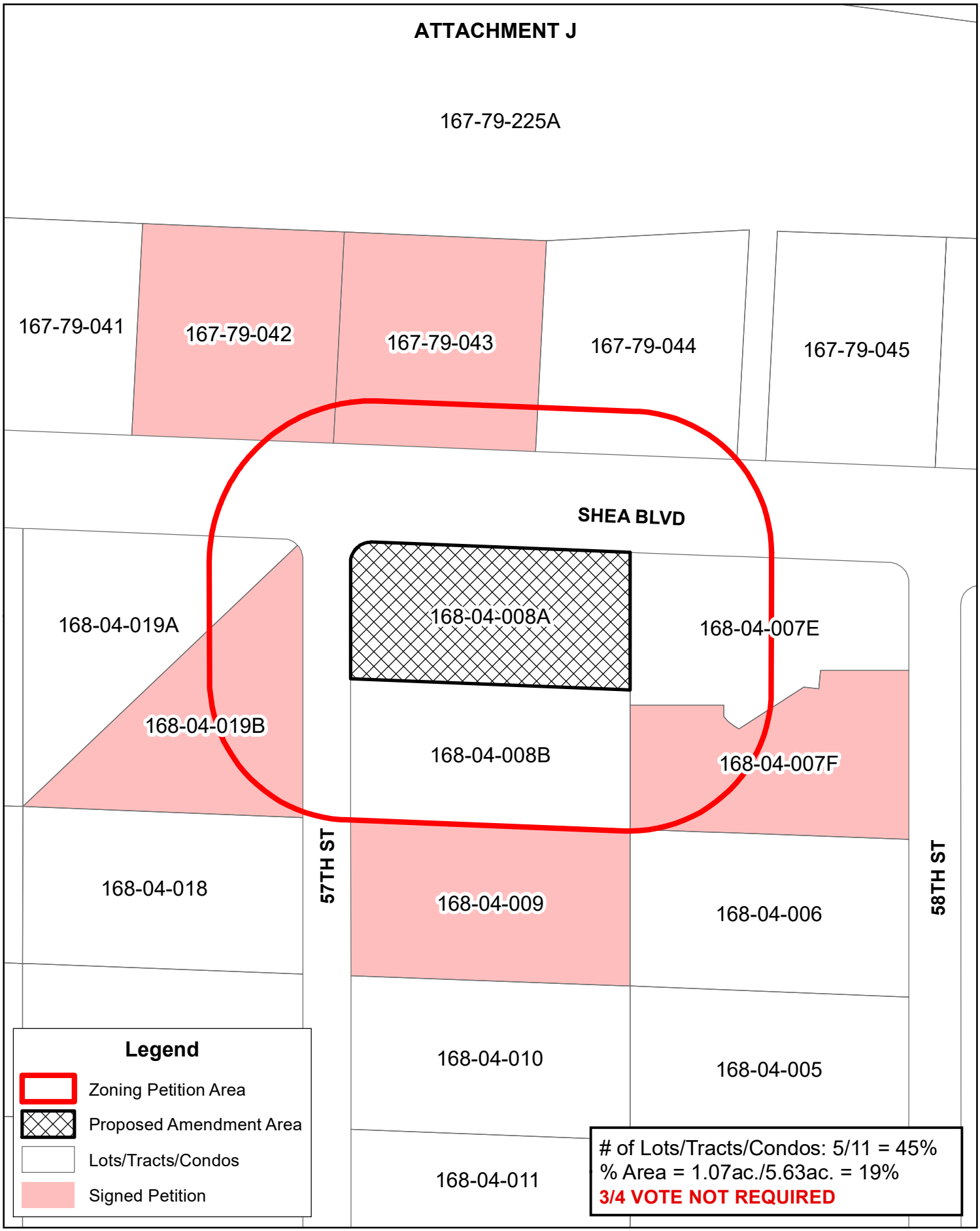
Paradise Valley, AZ 85253
CITY, STATE & ZIP CODE

240 447 8309
TELEPHONE NO.

brendan.franks@gmail.com
EMAIL ADDRESS

REASON FOR REQUEST - overwhelming neighborhood opposition - ethics violation
- illegal spot zoning - false or misrepresentation from applicant attorney
- request for written protest

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER



0 100 200 Feet

Petition Verification Map for Z-43-22-2

Map prepared by City of Phoenix, Planning & Development Services Dept. 12/8/22

CITY OF PHOENIX

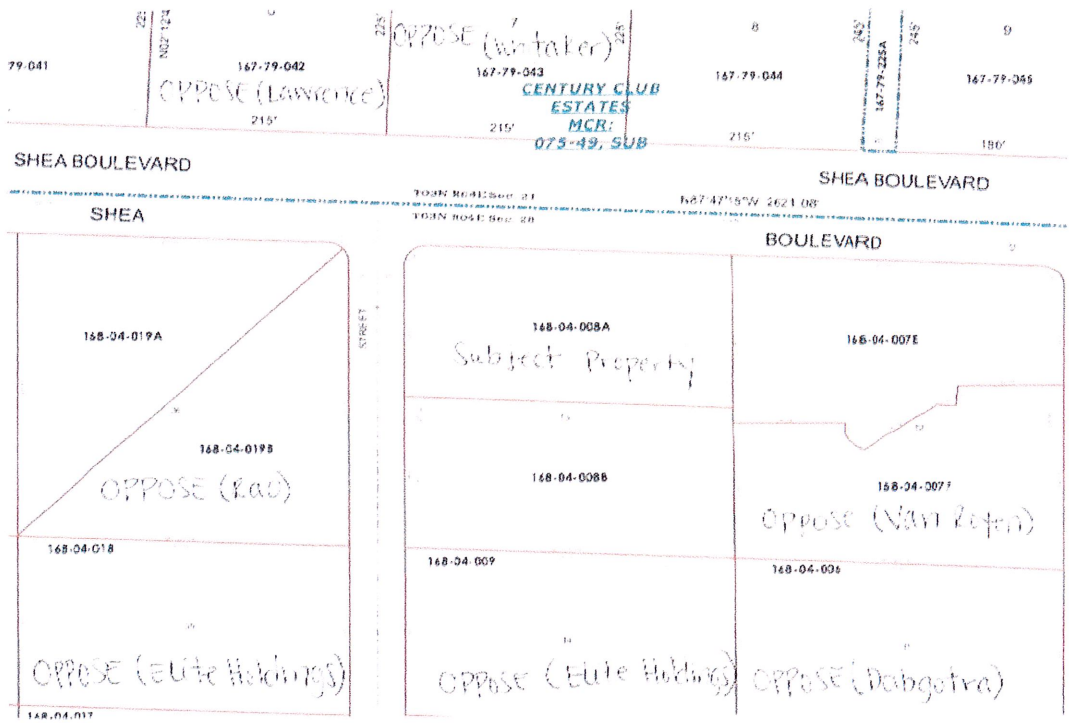
DEC 08 2022

Planning & Development
Department

ZONING CASE Z-43-22-2
WRITTEN PROTEST

PROPERTY	OPPOSE	LETTER / SIGNATURE	Address	Lot #
-	-	-	Subject Property - 10441 N 57th St Holdings LLC	168-04-008A

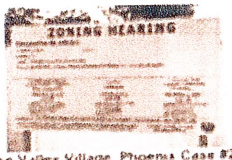
PROPERTY	OPPOSE	LETTER / SIGNATURE	Owner	Lot #
North Side				
1	✓	✓	Mark Lawrence and Nanquilada Diadema	167-79-042
2	✓	✓	Kevin and Angela Whitaker	167-79-043
3			5726 E Shea Blvd. LLC	167-78-044
South Side				
4			10437 N 57th St LLC	168-04-008B
5	✓	✓	Elite Holdings LLC	168-04-009
East Side				
8			Bellanca Viking Revocable Living Trust	168-04-007E
6	✓	✓	M Scott and Melissa R Van Royen Family Trust	168-04-007F
7	✓	✓	Suvinder Dabgotra	168-04-006
West Side				
9	✓	✓	Roa and Praneeta Santosh	168-04-019B
10			New Church of Phoenix	168-04-019A
11	✓	✓	Elite Holdings LLC	168-04-018



CITY OF PHOENIX

DEC 08 2022

Planning & Development
Department



Paradise Valley Village Phoenix Case #Z-43-22
Application to re-zone from Residential to Commercial

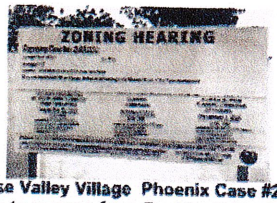
By signing below, I OPPOSE ANY ZONING CHANGES FROM the current RESIDENTIAL zoning TO THE LOT AT 57TH STREET AND SHEA (As well as 56th Street and 58th Street)

LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
Lawrence, Mark	5440 E Shea Blvd Scottsdale AZ 85754	12-8-22

CITY OF PHOENIX

DEC 08 2022

Planning & Development Department



Paradise Valley Village Phoenix Case #2-43-22
Application to re-zone from Residential to Commercial

By signing below, I OPPOSE ANY ZONING CHANGES FROM the current RESIDENTIAL zoning
TO THE LOT AT 57TH STREET AND SHEA. (As well as 56th Street and 58th Street)

LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
whitaker, Kevin	5702 E. Shea blvd Scottsdale AZ 85254	

CITY OF PHOENIX

DEC 08 2022

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Department

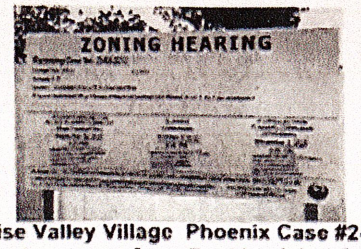
Rezone Z-43-22-2

To whom it may concern,

My name is Kevin Whitaker and I live at 5702 e shea Blvd, scottsdale AZ 85254. My property is directly across Shea Blvd from the property that has requested to be rezoned as part of application Z-43-22-2. I want to put it on record that I am strongly opposed to this rezoning application. While I live on Shea Blvd, this is still a residential community and all of the residents that actually live in the vicinity of this property have all stated their wish to keep this a residential community. I have no desire to look out my front window and stare are an office with vehicles coming in/out at all times of the day or night. The design being proposed does not blend in with any of the existing homes in the neighborhood, nor are they planning on having a block fence like almost all other properties in the neighborhood. Another major concern for me is that this will be a gateway property for others in the area to then request rezoning. This will certainly have a domino effect in the area with the neighboring property to the east and the synagogue's lot on the corner of 56th/Shea to surely follow suite. There are plenty of commercially zoned properties available for these types of ventures and they should be used instead of rezoning a residential lot to meet their needs. The lawyers for the applicants has continually stated that no one in their right mind would build a primary residence on this lot and rezoning would be the highest and best use for this lot. I disagree with this claim as the lot at 10602 n Montrose way was an empty lot for several years and a brand new 5138 soft house was built on it which sold in 2019 for $1,625,000. In todays market that house is worth close to 3 million.

For these reasons, I strongly oppose this rezoning. Thank you for your time.

Sincerely,
Kevin and Angelina Whitaker
602-571-5479



CITY OF PHOENIX

DEC 08 2022

Planning & Development Department

Paradise Valley Village Phoenix Case #2-43-22
Application to re-zone from Residential to Commercial

By signing below, I OPPOSE ANY ZONING CHANGES FROM the current RESIDENTIAL zoning
TO THE LOT AT 57TH STREET AND SHEA. (As well as 56th Street and 58th Street)

LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
Elite Holdings LLC Moldovan Daniel	10420 N 57th St Paradise Valley AZ 852	
Elite Holdings LLC Dan Moldovan	10419 N 57th St Paradise Valley AZ 85253	
Elite Holdings LLC Moldovan Daniel	10406 N 57th St Paradise Valley AZ 85253	
Elite Holdings LLC Moldovan Daniel	9828 N 57th St Paradise Valley AZ 85253	

CITY OF PHOENIX
Meaghan Franks <meaghanrm@gmail.com>
DEC 08 2022
Planning & Development Department

57th St rezone

Dan Moldovan <universalrealtyd@icloud.com>
To: Meaghan Franks <meaghanrm@gmail.com>

7 December 2022 at 15:58

To whom it may concern:

Because we are out of town, please consider this email as a letter informing everyone involved as to where we stand on the Rezoning of the subject property located on the SE corner of 57th St and Shea Blvd Paradise Valley AZ 85253.

My wife and I own Elite Holdings LLC which is the owner of the properties located at:
9828 N 57th St,
10406 N 57th St,
10419 N 57th St,
10420 N 57th St.

10406 N 57th St, 10419 N 57th St and 10420 N 57th St are all directly located within 300 feet of the subject property to be rezoned.

We are absolutely against the rezoning of the subject property from a Residential R-43 zone to anything else. There are just too many negative affects on our properties and the properties around us if this Rezoning were to go thru.

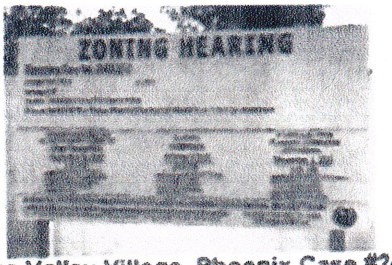
Please consider and give our opinion, (the closest neighbors to the subject property), the most weight when deciding to approve or deny this Rezoning of the subject property. We are the ones that would be most negatively impacted by the change.

If you have any questions, please don't hesitate to call or email us back.

Best Regards,

Dan and Adina Moldovan
602 334 3337

On Dec 7, 2022, at 8:32 PM, Meaghan Franks <meaghanrm@gmail.com> wrote:



CITY OF PHOENIX

DEC 08 2022

Planning & Development
Department

Paradise Valley Village Phoenix Case #2-43-22
Application to re-zone from Residential to Commercial

By signing below, I OPPOSE ANY ZONING CHANGES FROM the current RESIDENTIAL zoning
TO THE LOT AT 57TH STREET AND SHEA. (As well as 56th Street and 58th Street)

LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
VANRoyen, Michael	10438 N 58th St.	Michael VanRoyen

CITY OF PHOENIX

DEC 08 2022

Planning & Development Department

Michael and Melissa Van Royen

10438 N 58th St Paradise Valley Az 85253

December 7, 2022

Subject: Rezoning Case #Z-43-22-2

My name is Michael Van Royen and I have lived at 10438 N 58th St for over 30 years. I OPPOSE this rezoning because this is a very unique neighborhood, not only in the City of Phoenix, but the entire Valley. The City of Phoenix should be proud of this neighborhood. 56th,57th, and 58th Streets are all 1 acre lots with beautiful homes on each. Some of us still have horses on our properties. Converting 2 of these lots, because if 57th St goes, so goes 58th St, to commercial will totally change the character and appeal of this one of a kind neighborhood.

I attended both the Committee and Commission meetings and was saddened that the opposition of an entire neighborhood has been totally ignored.

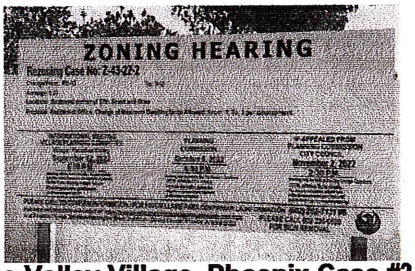
The applicants lawyer keeps referencing the 58th St lot as an example that, "no one wants to live on Shea", because it has been vacant for 20 years. It has been vacant for 20 years only because of greedy owners. I have repeatedly spoken to the present owner, and before her the previous owner and offered to buy the 58th St lot. The previous owner, Mr Elliott Glasser, a self proclaimed "corner man", refused my offer and then sold it to Mrs Martha Ashworth for the same amount. Mrs Ashworth recently approached the City of Phoenix to build a replica of the White House to live in, but the City rejected her plans. She still will not consider an offer.

I hope the City of Phoenix will consider the wishes of over 100 neighbors over that of 1 businessman.

Thank you for your time.

Sincerely, Michael Van Royen.

Michael Van Royen



CITY OF PHOENIX

DEC 08 2022

Planning & Development Department

Paradise Valley Village Phoenix Case #2-43-22
Application to re-zone from Residential to Commercial

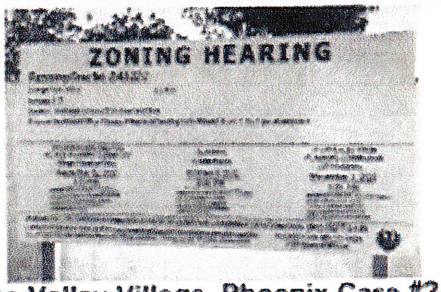
By signing below, I OPPOSE ANY ZONING CHANGES FROM the current RESIDENTIAL zoning
TO THE LOT AT 57TH STREET AND SHEA. (As well as 56th Street and 58th Street)

LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
DABGOTRA	10420 N. 58th	Paradise Valley 85253
BHANDARI	10406 N. 58th St	
	PV, AZ	85253
SHILPA DHIR	10406 N. 58th St	
	Paradise Valley, AZ	

CITY OF PHOENIX

DEC 08 2022

Planning & Development
Department



Paradise Valley Village Phoenix Case #2-43-22
Application to re-zone from Residential to Commercial

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LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
Rao, Santosh	10438 N 57th St, Paradise Valley AZ 85253	

CITY OF PHOENIX

DEC 08 2022

Planning & Development
Department

Nayeli Sanchez Luna

Subject: FW: Rezoning Case No: Z-43-22-2

From: Santosh Rao <mamidi@yahoo.com>
Sent: Saturday, November 5, 2022 7:16 AM
To: PDD Long Range Planning <pdd.longrange@phoenix.gov>
Cc: Praneeta Rao <praneetarao@hotmail.com>
Subject: Rezoning Case No: Z-43-22-2

To: City of Phoenix and Paradise Valley Village Planning Committee:

From: Praneeta Rao and Santosh Rao (owners), residing at,10438 N 57th St, Paradise Valley, AZ 85253.

STRONGLY OBJECT TO THE PROPOSED REZONING

The Rezoning proposal is just not about the "Regal American Homes". If this proposal passes, it sets a precedent for all the properties around to be rezoned. As long-time residents at this address (since 2004), we have seen a gradual increase in traffic on Shea boulevard. This change will result in a significant depreciation of home values. **PLEASE DO NOT APPROVE.**

Our neighborhood is dismayed that this is under consideration. Our opposition is three-fold 1. Setting precedent for others
2. Depreciation of home values. 3. Increased traffic on Shea.

Thanks you for your consideration and praying for this **proposed rezoning to be REJECTED**

Regards,

Praneeta & Santosh Rao.

CITY OF PHOENIX

DEC 08 2022

Planning & Development
Department

From: Santosh Rao
To: PDD Paradise Valley VPC
Subject: Rezoning Case No: Z-43-22-2
Date: Monday, November 28, 2022 6:11:17 PM

To Paradise Valley Village Planning Committee

I live at 10438 N 57th Street, directly across the street from the proposed rezoning. Case No: Z-43-22-2 and am writing to express a ***Strong Opposition*** to the proposed rezoning.

In 2004, my family of four moved from Boston to relocate and make our home in Arizona. After looking around for six months, we found our perfect residence. 18 years later, we are still here. Our kids grew up here and went to Cochise, Cocopah, and Chaparral. This has been home, and we love it just as-is! The proposed rezoning would be so disappointing that it is difficult to explain in words. One of the few select streets in the area that can proudly state that we have a Paradise Valley address, Phoenix City Services, and Scottsdale schools; why should we rezone? It would change the feel of the entire neighborhood and would be the beginning of the ending of the entire feel of the street and neighborhood. In the last several years, the traffic on Shea Blvd has increased significantly and has caused us concerns. The insertion of a commercial business would have further implications and would be unsafe.

There is ***no upside*** to this proposal. Regal American and his attorney state that the rezoning would be beneficial. Beneficial to whom? Other than the developer, no one would benefit from this rezoning. Most, if not all, residents (in the proximity of the rezoned property) ***vehemently oppose*** this, as demonstrated by the signed petitions to oppose and participation in the Council meetings. The people who support this proposal have zero interest in the neighborhood and the lives of the residents and would sign anything since they are friends, business associates, and acquaintances of the developer.

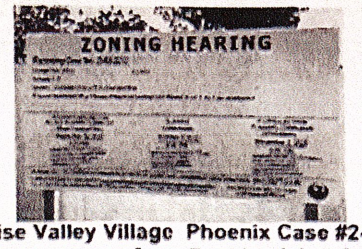
As long-term residents, we ask you to listen to the residents and surrounding neighbors. None of us want this to be a beginning of a commercial tract.

PLEASE DO NOT APPROVE THIS REZONING PROPOSAL.

Sincerely,

Santosh & Praneeta Rao

Residents at 10438 N 57th St, Paradise Valley, AZ 85253



CITY OF PHOENIX

DEC 08 2022

Planning & Development Department

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LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
Elite Holdings LLC Moldovan Daniel	10420 N 57th St Paradise Valley AZ 852	
Elite Holdings LLC Dan Moldovan	10419 N 57th St Paradise Valley AZ 85253	
Elite Holdings LLC Moldovan Daniel	10406 N 57th St Paradise Valley AZ 85253	
Elite Holdings LLC Moldovan Daniel	9828 N 57th St Paradise Valley AZ 85253	

Racelle Escolar

From: Alex Popovic <realalexpopovic@gmail.com>
Sent: Thursday, December 1, 2022 3:43 PM
To: Brendan Franks
Cc: Council District 2 PCC; Racelle Escolar; Alan Stephenson; PDD Paradise Valley VPC; Adrian G Zambrano; Mayor Gallego; 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
Subject: Re: Rezoning Case: Z-43-22-2

Good afternoon council persons and all CC'd

My name is Alex Popovic, I've been seated on the village for 3 years and will be the incoming chairperson, having been unanimously voted in at the end of this previous meeting being discussed.

I have known Anna via the real estate and development world and as alums from the ASU masters in real estate program since 2014.

I can tell you without hesitation she is one of the most forthright, honest and discerning people I know of. If there's was any inkling of a conflict of interest she would have recused herself, or at a minimum asked for guidance.

To the degree the meeting was "contentious" I would say not from any village member, and yes, while these hearings can get long and contested, and rightfully so, no village person acted in any other way than professionally. This goes for my entire time on the village the past 3 years. My peers are the consummate professionals and it's been a pleasure working with all of them.

As the most active village of all 15 we are an Intergral part of the process in development.

At this point, we voted for a project in favor of and would welcome some clarity toward "why is this being sent back to us?"

Respectfully,

Alex Popovic
602-800-0300

> On Nov 22, 2022, at 18:02, Brendan Franks <brendan.franks@gmail.com> wrote:
>
> Councilman Waring,
>
> My name is Brendan Franks, and presently live at 10006 N. 58th St Paradise Valley AZ 85253 [google.com] with my wife Meaghan and our two children ages 3 and 1.
>
> Our property is 9 lots (under .5 miles) away from the subject property/development and want to make clear we are vehemently opposed to the rezoning effort in our neighborhood.

$
Our chief concerns focus squarely on two main issues: traffic and safety.
$
Traffic is already a major concern on Shea both East and West directions at nearly all times of the day and evening.
$
While heading North on 57th towards Shea to access the Tatum/Shea commercial corridor, making a left is a daunting task. In the morning, commuters on Shea are rushed to get to work making hasty turns and hazardous lane switches, sometimes under traffic lights to inch closer to their destination at any cost. We see this often next to a school located at 56th and Shea, where speed limits of just 15mph are hardly adhered to. In the evening, we hear drag racing.
$
Adding just one extra vehicle from the proposed redevelopment will only make this dangerous left all but impossible. In fact, after purchasing our home, we learned a previous owner's family was involved in a fatal accident making this exact left turn (Westbound) at 57th and Shea.
$
Exiting Shea into our neighborhood isn't safer, and unfortunately, we know this firsthand. In 2021, while pregnant, my wife was stopped in the turn lane on Shea and 58th, waiting for a break in traffic to get home and was sideswiped at 50mph. She was rushed by ambulance to Honor Health Scottsdale Shea to see if our baby was still alive. Due to the crash, her car was towed away and needed $15,000 in repairs and $25,000 in emergency medical procedures and monitoring. And yes, the police were called, and the driver was ticketed for speeding, reckless driving, and failure to avoid an accident. We still don't know if this accident inflicted any developmental issues for our now one-year-old.
$
After doing some research, we learned the individual who purchased the lot in question has residential development projects in Paradise Valley south of us. This creates another commuter drive to the site through our neighborhood of Mountain View, Morning Glory, Sanna, 58th, 57th, and 56th that already have issues with non-residents speeding and snaking through our streets to avoid Tatum or Scottsdale Rd during high traffic hours while children are walking and waiting at bus stops. To that point, from 7-9am M-F, only school buses driving Eastbound are permitted to head South on Morning Glory to reach Doubletree Ranch Rd. With continued speeding and safety issues, further action was taken by the Paradise Valley Police Department: almost without fail, there is a marked police SUV that waits on the corner on Mountain View and 57th every weekday morning. Us neighbors and residents gladly welcome PVPD's efforts to ensure our safety; adding more risky rush hour drivers avoiding traffic is not what we want or need. Despite these efforts, the problem persists.
$
As a commercial property owner, I know firsthand the operational and ownership attention that a building of this size needs. Without question, clients, staff, vendors,

maintenance, and other service providers will utilize our neighborhood streets to access the proposed site during the day. It's a nonstop carousel to commercial sites; commercial trash, commercial deliveries, commercial Fedex/UPS, commercial lawn care, janitorial services, etc. Workers at the proposed site will, from time-to-time, want some fresh air. Shea doesn't provide that; they will undoubtedly walk our neighborhoods. This is a major safety issue as strangers will be looking at or into our homes. The increased vehicular and personnel volume is not what is wanted or needed.

We frequently walk, stroll, and wagon, in the precise area where an increase in traffic would limit our family neighborhood outings. When we do walk outside, we always go into the neighborhood, away from Shea. Three sets of close neighbors on 57th and 58th with children drive to our home so their children will not be hit by speeding cars. We did not ever anticipate having these worries when we moved here. Had we known we would be adding existing hazards with a new, complex layer that included the commercialization of our streets, we wouldn't have moved here two years ago. Simply put, it's too dangerous.
$
Nighttime use isn't any better. Just two months ago, we heard a knock on our door in the evening from a non-resident cutting through our neighborhood. Our mailbox, walking path and flowerpots in our front yard were destroyed and run over as the driver was speeding and distracted, per my security cameras. (I opted not to file a police report because the driver was a 17-year-old Chaparral Senior) His car was totaled, and we incurred $8,000 worth of damage. We were left with a pile of rubble and worry that they could have plowed into our home. We are living through another accident just months and steps away from the last one. We were terrified. What if our kids were outside? Why don't others respect our speed bumps? Why didn't he take Scottsdale Rd or Tatum if you don't live here? Why do nonresidents continue to speed and snake through our streets?

This incident and problems at night are not isolated. The rules of statistics say more cars, more accidents, more people, more crime; a harrowing and uncomfortable thought after our neighborhood has already experienced recurring vehicular tragedy. Last week, on October 29th, there was an armed robbery where a resident was held at gunpoint by a nonresident at the corner of 61st and Mountain View. The backyard of the home next door was used as a point of entry; multiple family homes with children were turned into crime scenes. As it relates to the proposed lot to be redeveloped, we do not have the resources as a neighborhood to fend off bad actors using the facility late at night as it is intended. We are a neighborhood at risk.

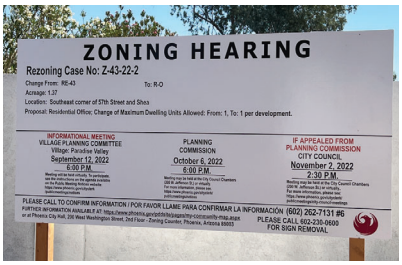
According to LoopNet and CoStar, "go-to" commercial property databases, there is an overabundance of office space varying in size, building age, rent per square foot, etc. available for rent at the Tatum Shea and Scottsdale Shea intersections. There are also lots available that currently conform to the zoning use proposed. Commercial lots do not start until much further down Shea toward Tatum or Scottsdale Rd, making this a

very awkward standalone commercial site, and risks bringing other commercial sites to existing properties with older homes at nearby street corners, including our street on 58th and Shea. If one gets zoning approval, others will follow suit. Commercial real estate likes to be close to other commercial real estate.

$

The proposed development site at the corner of 57th and Shea, where a home existed until a few weeks ago, is not the “highest and best use” of this lot, a golden rule in commercial real estate. Our neighborhood truly cannot stomach another tragedy. This lot is a residential lot, has been historically, and should remain so in the future. Again, simply put, it really is just too dangerous. This neighborhood has experienced fatal accidents, mother and fetus trauma, armed robbery, and persistent negligent driving. We encourage the future use of this site to conform with existing zoning laws for all the reasons stated above.

Authentisign ID: 7781B510-3E40-ED11-A27C-14CB655B2CA7

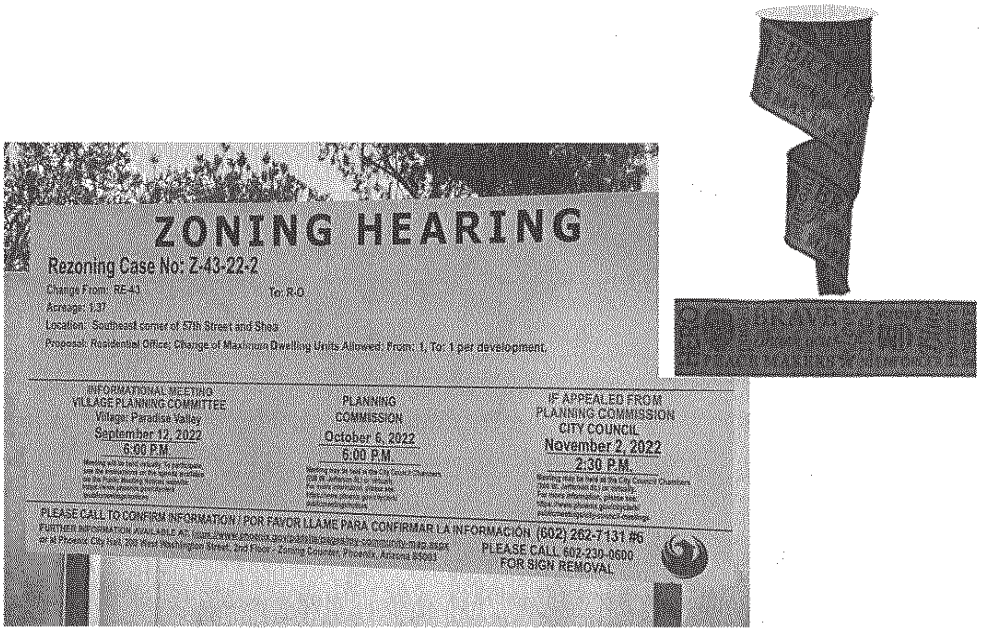


Rcvd 12/1/2022

Paradise Valley Village Phoenix Case #2-43-22
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LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
1. Marie Stallone	5840 E Caron Circle	Authentisign Marie Stallone, Homeowner 09/29/22
2. Fred Stallone	5840 E. Caron Circle	Authentisign Fred Stallone, Homeowner 09/29/22
3. Russell Wilson	5840 E. Donna Lane	Authentisign Russell Wilson, Homeowner 09/29/22
4. Jan Wilson	5840 E. Donna Lane	Authentisign Jan Wilson, Homeowner 09/29/22
5. Rebecca Gerber	5855 E. Donna Lane	Authentisign Rebecca Gerber, homeowner 09/29/22
6. Pamela Gerber	5855 E. Donna Lane	Authentisign Pamela Gerber, Homeowner 09/29/22
7. Shauna Chavez	5856 E. Donna Lane	Authentisign Shauna Chavez 09/29/22
8. Adrea Wagenhals	10029 N. 57th St	Authentisign Andrea Wagenhals, Homeowner 09/30/22
9. Denise van den Bossche	9640 N. 57th St	Authentisign D van den Bossche, homeowner 09/29/22 Denise A Van Den Bossche 09/29/22
10. Patrick van den Bossche	9640 N. 57th Street	Authentisign P van den Bossche, homeowner 09/30/22
11. Aleisha Mallon	5841 E Mountain View	Authentisign Aleisha Mallon, homeowner 09/29/22
12. Steven Neidhart	9311 N. 58th St	Authentisign Steven Neidhart, homeowner 09/29/22
13. Anne Neidhart	9311 N. 58th St	Authentisign 09/30/22
14. Ron Foeldi	10048 N. 57th St	Authentisign Ron Foeldi, homeowner 09/30/22
15. Julia Libling	9460 N. 57th St	Authentisign Julia Libling, homeowner 09/29/22
16. Martin Libling	9640 N. 57th St	Authentisign Martin Libling, Homeowner 09/29/22

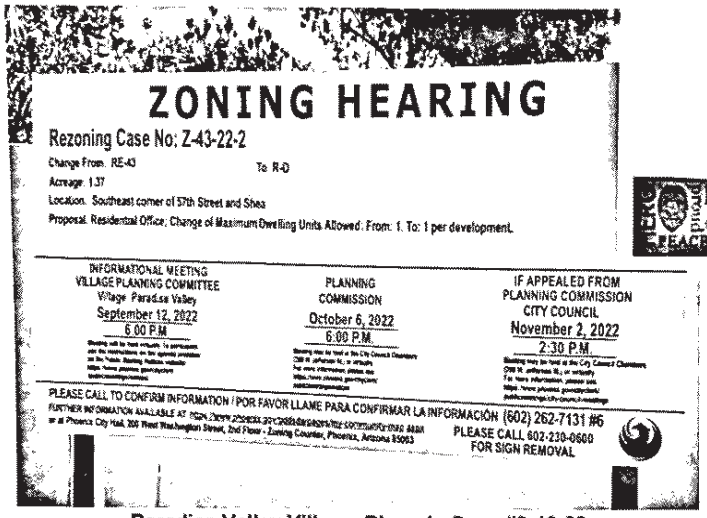


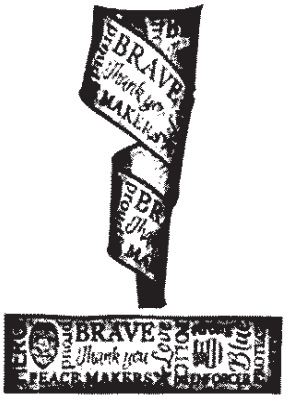
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LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
Scatena, William	6038 N. 57th St Paradise Valley AZ	

Scan and fax to 1-866-233-4384



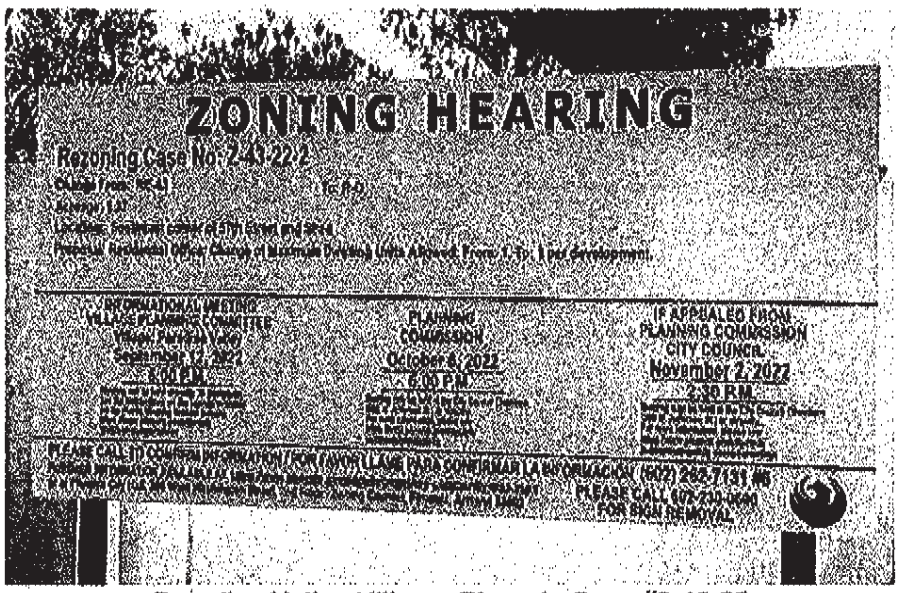


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LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
Klein, Michael	10019 N 57th st Paradise Valley AZ, 85253	
Klein, Christa	10019 N 57th st Paradise Valley, AZ 85253	

Scan and fax to 1-866-233-4384

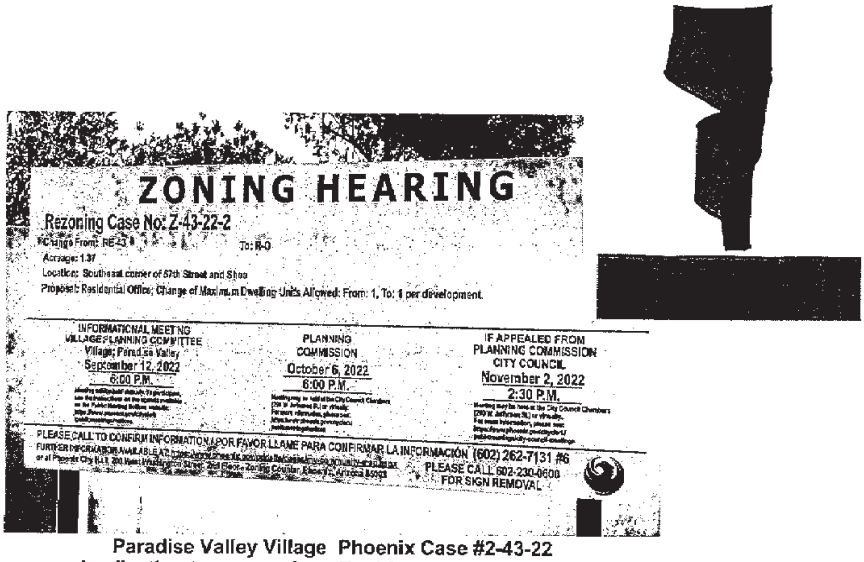


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LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
Anderson, Sandi	10616 N. 68th Pl Scotts	Sandi Anderson
Anderson, Don	10616 N. 68th Pl Scotts	
Reese, Mike	10628 N 68 PL Scotts	Mike Reese

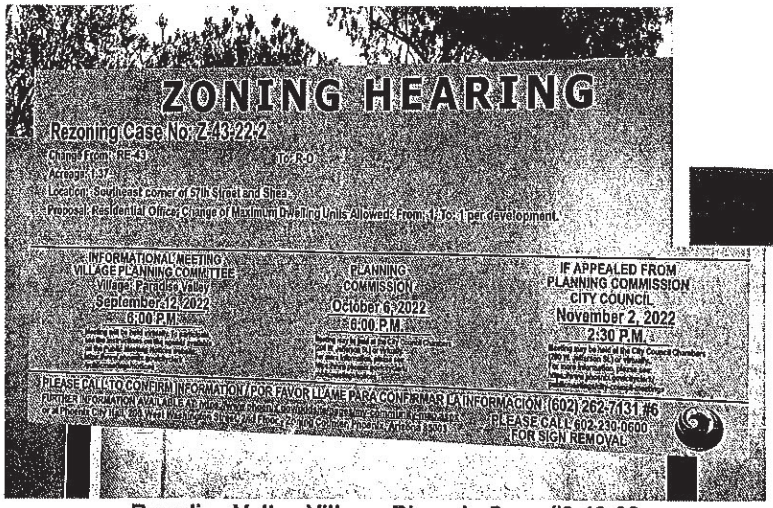
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LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
Bilack David Isabel	5700 E Karzlin Pv. Az 85253	David Bilack Isabel Bilack
WEINSTOCK, ANNE	10405 N. 57 ths	Anne Weinstock
WEINSTOCK, Ronald	10405 N 57th St Scotts., Az 85253	Ronald Weinstock

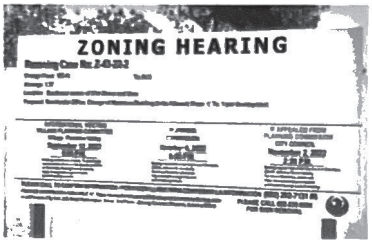


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LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
GERSTON	9841 N 57 ST.	Sandra Gerston
SANDRA		

Scan and fax to 1-866-233-4384

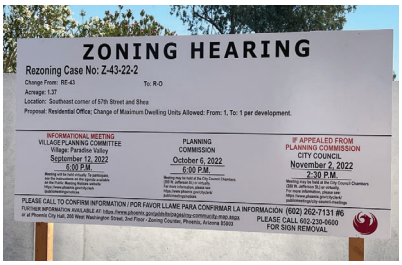


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LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
Karlovsky, Matthew	10209 N. 57th	
Karlovsky, Lisa	10209 N. 57th St. PVAZ 85253	

If we missed you, please Scan and fax to 1-866-233-4384

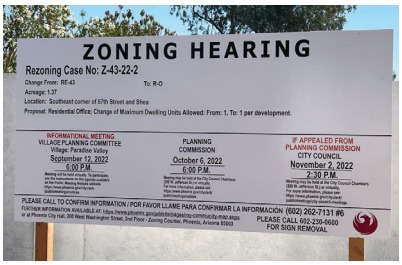


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LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
pat Labelle	Pat Labelle East Mountainview rd Paradise Valley Az	Pat Labelle

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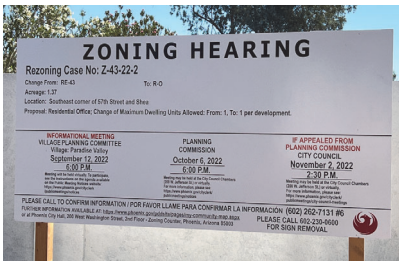
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LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
Guy Labelle	5721 East Mountianview rd Paradise Valley Az 85253	Guy Labelle

If we missed you, please Scan and fax to 1-866-233-4384

Authentisign ID: 11DCB1B8-FD40-ED11-A27C-14CB655B2CA7

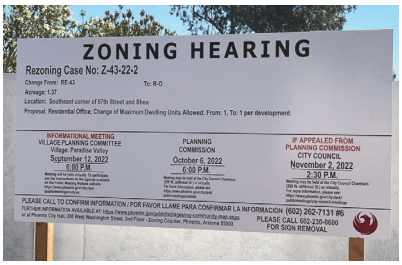


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LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
27. Paula Bowman	5801 E. Sanna St	AuthentiSIGN Paula Bowman, homeowner 09/30/22
28. Jay Snyder	9591 N. 56th St	
29. Diana Snyder	9591 N. 56th St	
30. JoAnn Augur	10037 N. 56th St	
31. Carmen Blank	9447 N. 57th St	AuthentiSIGN Carmen Blank, homeowner 09/30/22
32. Michael Blank	9447 N. 57th St	AuthentiSIGN Michael Blank, homeowner 09/30/22
33. Joan Pepe	9304 N. 58th St	
34. John Sampanes	5827 E Mountain View Rd	AuthentiSIGN John Sampanes, homeowner 09/30/22
35. Missi Rosenfeld	9459 N. 57th St	
36. David Rosenfeld	9459 N. 57th Street	

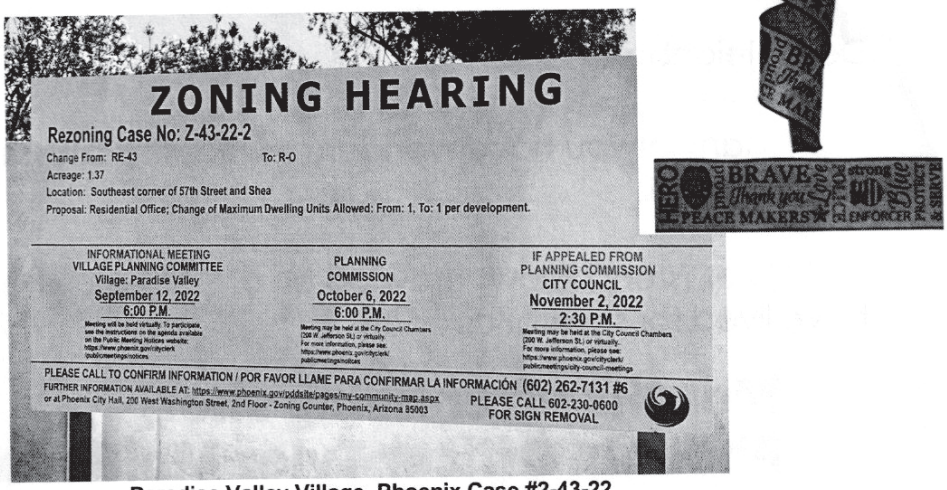
Authentisign ID: D9ED60F6-0E41-ED11-A27C-14CB655B2CA7



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LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
37. Bryan Long	10203 N. 57th St	
38. Mindy Long	10203 N. 57th St	
39. Richard Pasquale	10210 N. 57th St	
40. Dari Hing	10020 N. 57th St.	AuthentiSIGN Dari Hing, homeowner 09/30/22



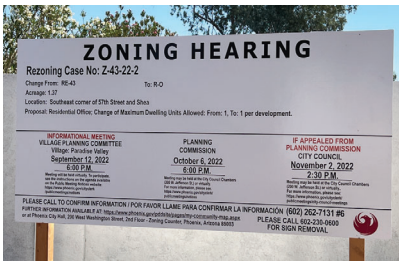
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LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
Press, Lowell	9789 N 57th St Paradise Valley, AZ 85253	
Press, Nastashia	9789 N 57th St Paradise Valley, AZ 85253	

Scan and fax to 1-866-233-4384

Authentisign ID: 8D68574F-F841-ED11-A27C-14CB655B2CA7

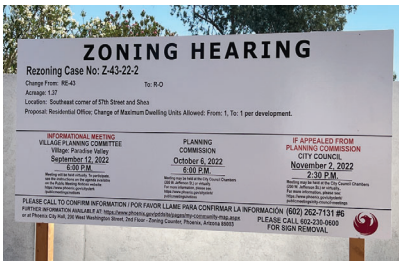


Paradise Valley Village Phoenix Case #2-43-22
Application to re-zone from Residential to Commercial

By signing below, I OPPOSE ANY ZONING CHANGES FROM the current RESIDENTIAL zoning
TO THE LOT AT 57TH STREET AND SHEA. (As well as 56th Street and 58th Street)

LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
41. Dr Sudharkar Reddy	9681 N. 56th St	AuthentiSIGN Sudharkar Reddy, Homeowner 10/01/22
42. Stuart Kirk	9471 N. 57th St	AuthentiSIGN Stuart Kirk, homeowner 10/02/22
43. Dana Kirk	9471. N. 57th St	AuthentiSIGN Dana Kirk, homeowner 10/02/22
44. Brian Dessoy	5840 E Onyx Ave	AuthentiSIGN Brian Dessoy, homeowner 10/02/22
45. Sara Dessoy	5840 E. Onyx Ave	AuthentiSIGN Sara Dessoy, Homeowner 10/04/22
46. Mindy Long	10203 N. 57th St	AuthentiSIGN Mindy Long, homeowner 10/02/22
47. Julia Bridge	9450 N. 57th St	
48. William Seybold	9470 N. 57th St	
49. Ann Seybold	9470 N. 57th St	
50. Brittany Laffer	5610 E. Mountain View	AuthentiSIGN Brittany Laffer, homeowner 10/02/22

Authentisign ID: 2F212486-D240-ED11-A27C-14CB655B2CA7

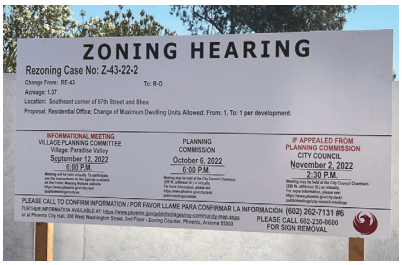


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LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
17. Shalini Bansal	5921 E Mountain View	
18. Donna Heller	5815 E Sanna	Donna Heller, Homeowner 09/30/22 Donna Heller
19. Lewis Heller	5815 E Sanna	Lewis Heller, Homeowner 09/30/22 Lewis Heller
20. Fred Deutsch	5823 E. Donna Lane	Fred Deutsch, Grew up here 09/30/22 Fred Deutsch
21. Ed White	9390 N. 57th St	Ed White, Homeowner 09/30/22 Ed White
22. Valerie White	9390 N. 57th St	Valerie White, homeowner 10/04/22 Valerie White
23. Alex Bowman	5923 E Mountain View	Alex Bowman, Homeowner 09/30/22 Alex Bowman
24. Larry Pepe	9304 N. 58th St	Larry Pepe, Homeowner 09/30/22 Larry Pepe
25. Gary Vaughn	5839 E Caron Circle	Gary Vaughn, Homeowner 09/30/22 Gary Vaughn
26. Julie Vaughn	5839 E Caron Circle	Julie Vaughn, Homeowner 09/30/22 Julie Vaughn

Authentisign ID: 11DCB1B8-FD40-ED11-A27C-14CB655B2CA7

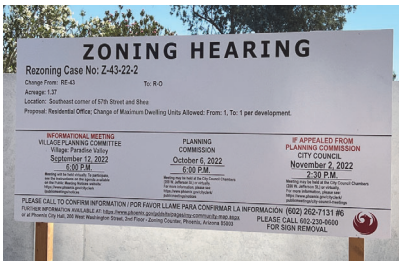


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LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
27. Paula Bowman	5801 E. Sanna St	AuthentiSIGN Paula Bowman, homeowner 09/30/22
28. Jay Snyder	9591 N. 56th St	AuthentiSIGN Jay Snyder, homeowner 10/01/22
29. Diana Snyder	9591 N. 56th St	AuthentiSIGN Diana Snyder, homeowner 10/01/22
30. JoAnn Augur	10037 N. 56th St	AuthentiSIGN JoAnn Augur, homeowner 10/01/22
31. Carmen Blank	9447 N. 57th St	AuthentiSIGN Carmen Blank, homeowner 09/30/22
32. Michael Blank	9447 N. 57th St	AuthentiSIGN Michael Blank, homeowner 09/30/22
33. Joan Pepe	9304 N. 58th St	
34. John Sampanes	5827 E Mountain View Rd	AuthentiSIGN John Sampanes, homeowner 09/30/22
35. Missi Rosenfeld	9459 N. 57th St	AuthentiSIGN Missi Rosenfeld, homeowner 09/30/22
36. David Rosenfeld	9459 N. 57th Street	AuthentiSIGN David Rosenfeld, homeowner 09/30/22

Authentisign ID: F64BFC57-0D5F-ED11-ADE6-0050F2765AB1

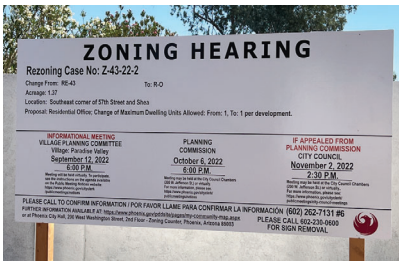


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LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
37. Bryan Long	10203 N. 57th St	
38. Mindy Long	10203 N. 57th St	
39. Richard Pasquale	10210 N. 57th St	AuthentiSIGN Rick Pasquale, homeowner 11/07/22
40. Dari Hing	10020 N. 57th St.	

Authentisign ID: D37BDC26-0C5F-ED11-ADE6-0050F2765AB1



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41. Dr Sudharkar Reddy	9681 N. 56th St	
42. Stuart Kirk	9471 N. 57th St	
43. Dana Kirk	9471. N. 57th St	
44. Brian Dessoy	5840 E Onyx Ave	
45. Sara Dessoy	5840 E. Onyx Ave	
46. Mindy Long	10203 N. 57th St	
47. Julia Bridge	9450 N. 57th St	AuthentiSIGN Julia Bridge, homeowner 11/08/22
48. William Seybold	9470 N. 57th St	
49. Ann Seybold	9470 N. 57th St	AuthentiSIGN Ann Seybold, homeowner 11/10/22
50. Brittany Laffer	5610 E. Mountain View	

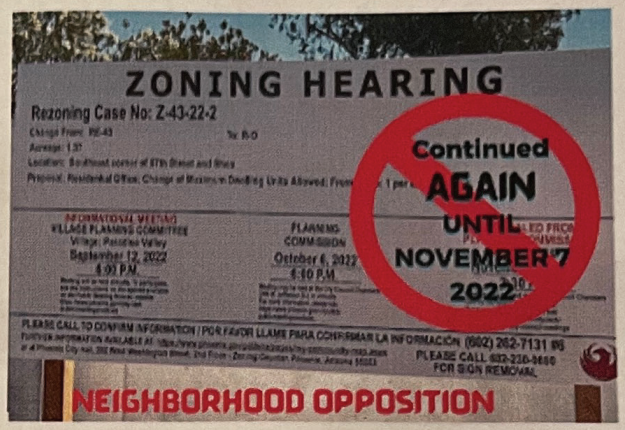
Dear PV GATEWAY NEIGHBORHOODS **WE NEED YOUR HELP!!!!!**

We submitted over 70 signatures of OPPOSITION to re-zoning of the residential parcel at Shea & 57th Street.

The applicant bought the lot several months ago and wants to change the zoning for commercial uses.

He doesn't live here, WE DO.

WHY HAS THIS APPLICATION BEEN "CONTINUED" TWICE? CLEARLY THE NEIGHBORHOOD DOES NOT WANT THIS CHANGE? THERE IS NO BETTERMENT TO THE COMMUNITY. THIS MAKES NO SENSE. THE CASE SHOULD HAVE BEEN CLOSED. IT IS BLACK AND WHITE.



Please sign the petition, get your neighbors to sign, tie a blue ribbon of solidarity onto your mailbox and CONTACT your representative! Demand **Councilman/Vice Mayor Jim Waring**'s disclose his **position on this case!!council.district.2@phoenix.gov 602-262-7445.** We feel that any change in the current residential zoning will reduce the value of our homes, introduce new traffic within our neighborhood, and cause further traffic congestion on Shea. It will also contribute to a domino effect at 56th Street and 58th Streets to also allow commercial where there should remain residential.

If we missed you, you can fax it or email it to 1-866-233-4384, denise@denisevdb.com (if you would like a blue ribbon to tie on your home, text 602-980-0737)

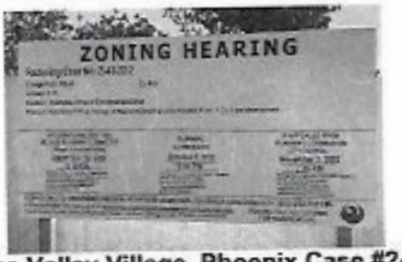
I **OPPOSE ANY CHANGES** TO THE ZONING AT SHEA & 57TH ST, ZONING CASE #2-43-22

NAME: THOMAS MOONEY. ADDRESS: 9840 N 55th Way

Signature: Thomas Mooney Date: 10/6/22

NAME: MARY JANE MOONEY ADDRESS: 9840 N 55th Way

Signature: Mary Jane Mooney Date: 10-7-22

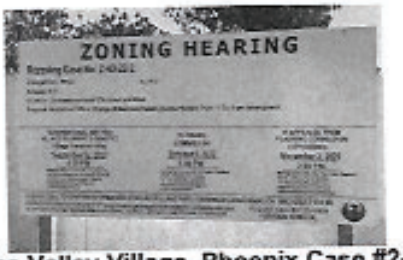


Rcvd 12/1/2022

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LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
Franks, Meaghan	10006 N. 58th St PV, AZ	meaghan franks
FRANKS, DEENDAN	10006 N. 58th St. PV AZ	
Katz, Sophia	10228 N. 58th St PV, AZ	
KATZ, ERIC	10228 N 58th St, PV, AZ	
Colley DAVID	10210 N 58th St	
URQUHART Adelina	10038 N 58 St.	A. Urquhart
Coumides, Andy	9336 N 58 St	
Coumides, Mary	9336 N 58th St	Mary Coumides
London, Tara	9315 N. 58TH Street	Tara London
London Alexander	9315 N. 58th Street	
Aiello, JESSICA	9308 N 58th Street	Jessica Aiello
Neidhart, Anne	9311 N 58th St	Anne Neidhart
Nkidhart, Steven	9311 N 58th St	
Aiello, Joseph	9308 N 58th St.	
McKee, Michael	9303 N 58th St	
Dehghani, Niloofar	9305 N 58th St	
Pope JOHN	9304 N 58th St	



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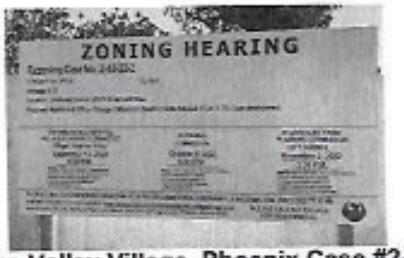
LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
DABGOTRA	10420 N. 58th	Paradise Valley 85253
BHARAT, PARMA	10406 N. 58th St	PARADISE VALLEY
	PV, AZ	85253
SHILPA DHIR	10406 N. 58th St	
	Paradise Valley, AZ	



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LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
Pepe, Lapry	9304 N. 58th St.	
Erickson, Lissa	10020 N. 58th Street	
Baltel, David	10020 N 58th St	
BUTTEL STEVEN	10020 N. 58th ST	



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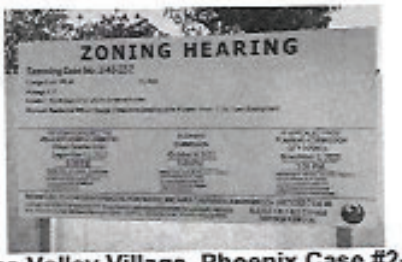
LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
WATKINS, DOUGLAS	9828 N. 58TH ST	
WATKINS, DIANA	9828 N. 58TH ST	
WATKINS, DOUGLAS	9842 N. 58TH ST.	
WATKINS, DIANA	9842 N. 58TH ST.	



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LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
Haegen, Timothy	9810 N. 58th St. PV 85253	
Haegen, Elizabeth	9810 N. 58th St PV 85253	
Patel, Neetu	5801 E. Donna Ln Paradise Valley	
Noto, John	5802 E Donna Ln, Paradise Valley 85253	
Noto, Dawn	5802 E Donna Lane Paradise Valley, AZ	
Powe, Nancy	9211 N 58th Paradise Valley AZ	
Pohl, Preston	9211 N. 58th St. PV, AZ 85253	



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LAST NAME, FIRST NAME	ADDRESS	SIGNATURE
Pepe W. Nixon	4836 Orchid Ln	